

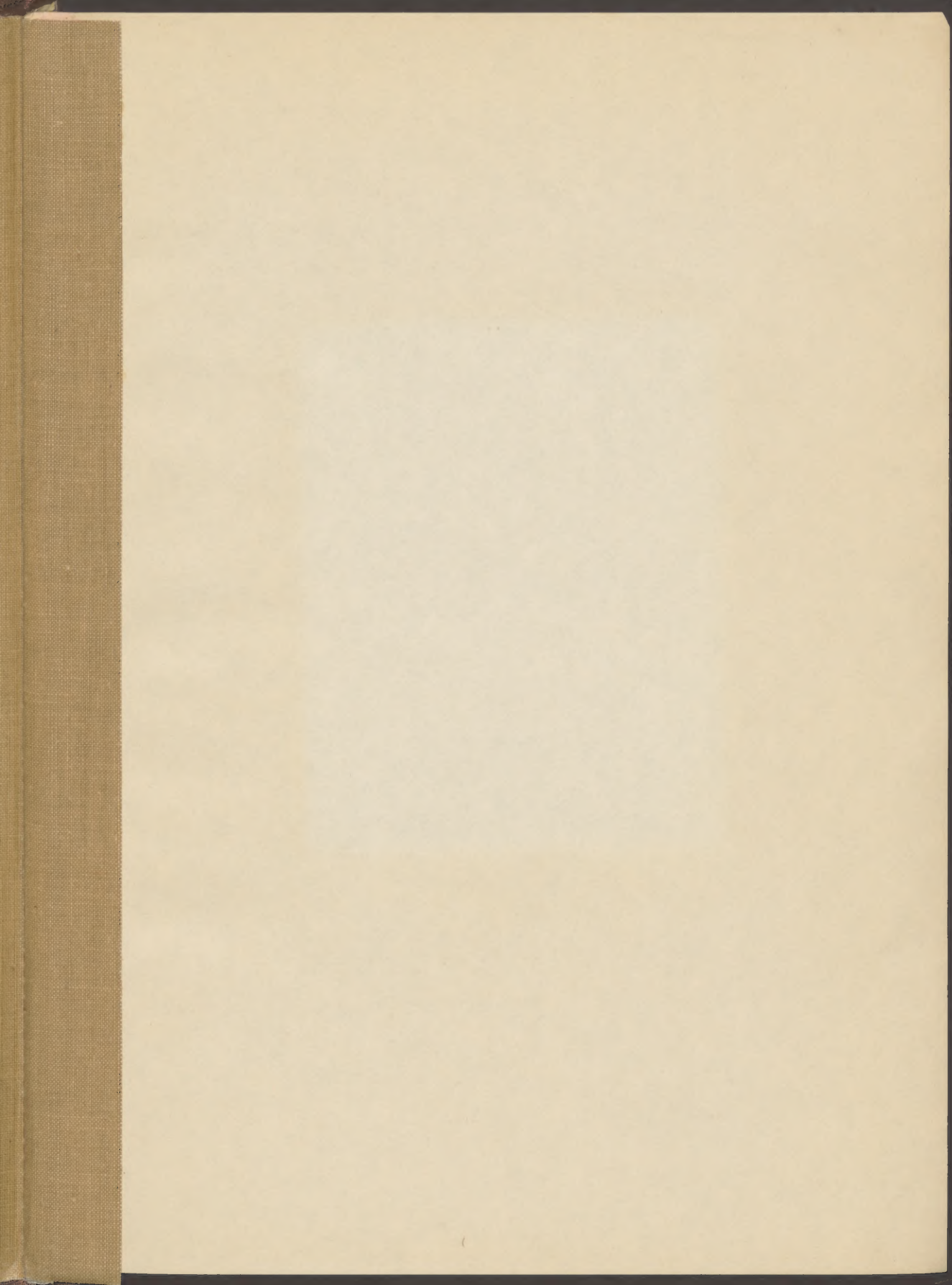
339.3 - Sol3

1916

Columbia University
in the City of New York

THE LIBRARIES





LIBRARY OF
LAW AND CRIMINAL

ATTENTION
CH. DERBY

Handwritten notes:
Rabul
Loren
Alban
P. Rich
19/31

SOCIETY *for the*
PREVENTION OF CRIME

REPORT
1 9 1 6

W
A 29

945 of
NATIONAL CRIME COMMISSION
120 BROADWAY
NEW YORK

50 UNION SQUARE
NEW YORK

SOCIETY *for the*
PREVENTION OF CRIME

Incorporated 1878

REPORT
1916

THE DAY'S DEMAND

God give us men! a time like this demands
Strong minds, great hearts, true faith, and ready hands—
Men whom the lust of office does not kill;
Men whom the spoils of office cannot buy;
Men who possess opinions and a will;
Men who have honor; men who will not lie.

—J. G. HOLLAND

PRINTED FOR PRIVATE DISTRIBUTION

50 UNION SQUARE
NEW YORK

339.3

S013

1916

SOCIETY FOR THE PREVENTION OF CRIME

OFFICERS OF THE SOCIETY

President

CHARLES E. BRUCE

Vice-President

WILLIAM SHEAFE CHASE

Secretary

THADDEUS D. KENNESON

Superintendent

HOWARD CLARK BARBER

Board of Directors

THADDEUS D. KENNESON

FRANK MOSS

CHARLES H. PARKHURST

CHARLES E. BRUCE

FRANK LUGAR

SAMUEL MARCUS

CHARLES R. SAUL

WILLIAM SHEAFE CHASE

MATTHEW BEATTIE

MAURICE H. HARRIS

ALFRED B. CRUIKSHANK

MICHAEL J. HORAN

ERNEST SPENCER ROCHE

HOWARD CLARK BARBER

Honorary Vice-Presidents

THOMAS SNELL

FRANK M. NORTH

S. EDWARD YOUNG

LUCIEN KNAPP

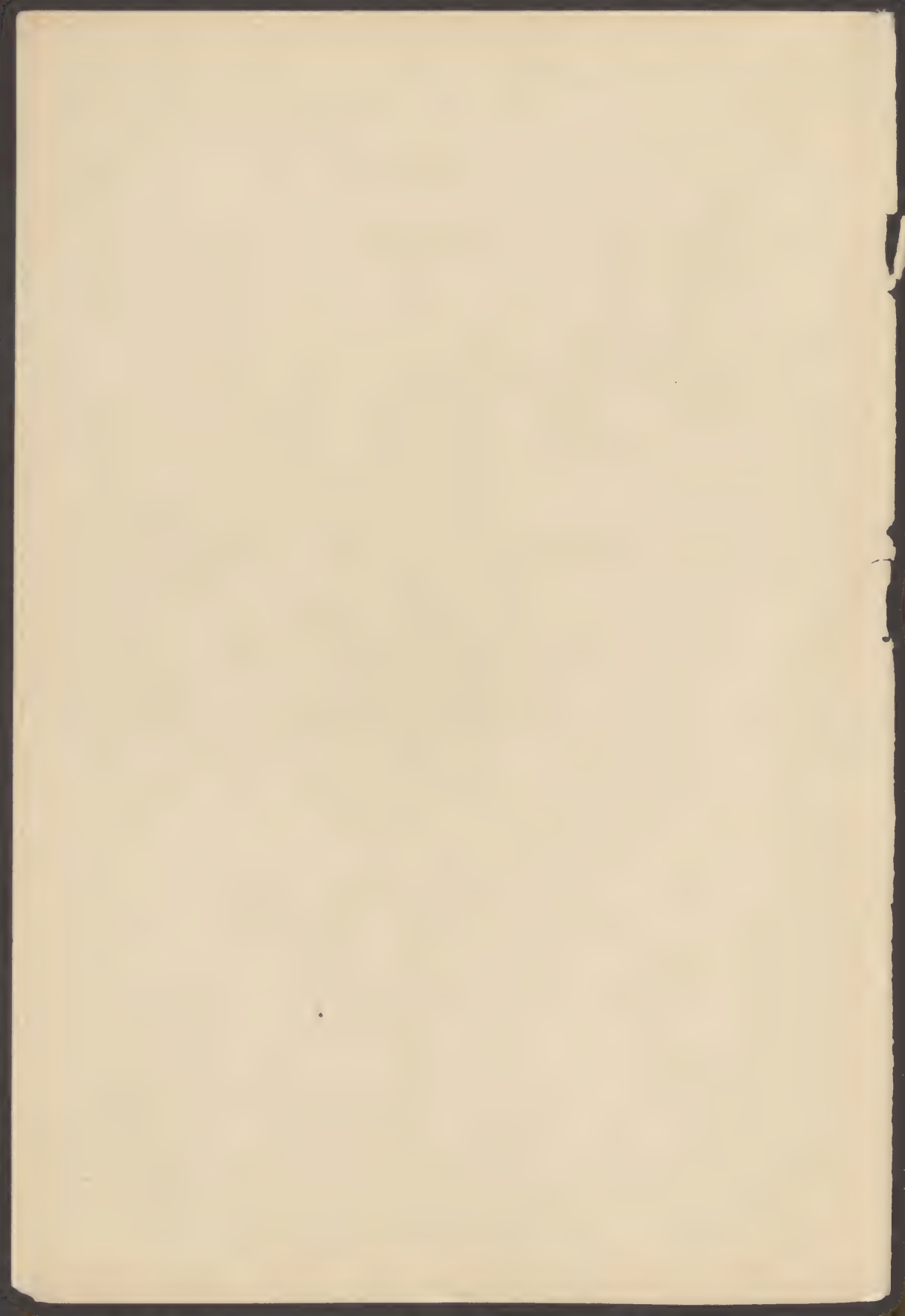
SOCIETY FOR THE PREVENTION OF CRIME

TABLE OF CONTENTS

	PAGE
Purposes of the Society	7
Policy	9
Boleto	16
The New Louisiana Lottery	18
Race-track Gambling	18
Proposed Amendments	23
Wood-Block Paving Monopoly	24
Habit Forming Drugs	25
Drugs to Penal Institutions	30
The Case of "Dr. Baxter"	30
The Boylan Law	31
Addicts Treated	32
Hypodermic Syringes	33
Recent Amendments	33
Further Amendments Needed	33
Harrison Anti-Narcotic Law	34
Board of Health Regulation	34
Letters of Appeal	35
"Influence" Fails	36
Boys made Thieves	36
A Woman "Fagin" convicted	36
Excise	37
The Becker Case	38
Capital Punishment	39
Prostitution	44
Assignment Hotels	44
Disorderly Houses	46
Vice Trust	47
Tenement House Prostitution	48
An Evidence of Improvement	49
Street Soliciting	50
The Cabaret	50
Wayward Girls	52
Police and "White Slave" Investigation	53
White Slavery	55

SOCIETY FOR THE PREVENTION OF CRIME

Gambling	56
Mercantile Lotteries	56
Penny Candy Stores	57
Indecency	60
Pictures and Cards	61
Theatres	62
Indecent Articles	63
Motion Pictures	63
Sabbath Laws	67
Theatres	67
Motordrome	68
Baseball	68
Legislation	68
Courts, The	69
Grand Jury	70
Police Department, The	70
Boiler Squad Investigation, The	71
Reclamation	72
An Acknowledgment	72
Typical Cases	74
Appendix	78
Habit-forming Drug Law	78
Red-light Injunction Law	85



SOCIETY FOR THE PREVENTION OF CRIME

SUPERINTENDENT'S REPORT FOR PERIOD ENDING NOVEMBER 1, 1916

Thirty-eight years ago the Society for the Prevention of Crime was incorporated by a few of New York City's public-spirited citizens, headed by Peter Cooper, the founder of Cooper Union, and the Reverend Howard Crosby who served as its president until the time of his death.

The objects as stated in its certificate of incorporation were:

To promote, in all proper and suitable ways, the removal of sources and causes of crime; to assist the weak and helpless in obtaining the protection of the courts, and of the laws regulating the sale of intoxicating drinks, and in protecting themselves against the temptations of crime; to aid in the enforcement of the laws of this state; to disseminate information and to arouse a correct public opinion in support of all laws; organizing and forming meetings and associations for instruction and discussion upon such topics.

Dr. Crosby was succeeded by the Reverend Charles H. Parkhurst in 1891, and under his progressive leadership the Society undertook its war upon the system of official protection of crime at that time rife in New York City. The campaign then conducted by the small group of men representing the Society against a combination of unscrupulous and powerful politicians and officials in league with vice and crime is a well-known matter in New York's history.

Out of it came the investigation by the Lexow Committee, the overthrow of a corrupt city administration and the

SOCIETY FOR THE PREVENTION OF CRIME

re-organization of the police department. More important still was the arousing of the interest of citizens in civic affairs, which has continued and increased.

In steadfastly maintaining the broad purposes of its founders, the society has blazed the trail through many unknown and dangerous ways. Its risks, however, have been justified; for many organizations have sprung up to aid in solving the problems which its founders sought to meet almost without support.

It has been our policy to avoid spectacular raids and arrests, but we have instead endeavored quietly to do constructive work, avoiding unnecessary criticism of public officials, and where possible, giving them the fullest aid in our power. Where arrests were necessary they have been made. We are glad to be able to report that where formerly much of our work was hindered and antagonized by officials, their present attitude is generally one of appreciation. Thus we feel that by patience and perseverance this Society has earned a deserved recognition for helpfulness in solving the problems of life in New York City; and the present conditions are such that information and assistance are welcomed by officials who wish to enforce the law.

In our efforts to better conditions our aim has always been to protect the young and the average mind, rather than inflict upon the public an unreasonable view of law enforcement. We have tried to act logically as between a narrow conception of city life and the unreasonable demands for so-called 'personal-liberty.'

The report which follows covers superficially some of the work performed by the Society, since its last printed report of 1909, and is issued with the hope that it will do good, and prove the worth of civic effort. During this period, the general rule of "outward order and decency" has eliminated many of the old manifestations of crime. Our present field must therefore be the discernment and solution of new

problems—not always new crimes, but more often new and subtler methods of committing old ones.

In problems, we have no specialty. As social and political conditions change, there always develop important evils, the remedy for which requires unfettered conscience and unflinching courage. It is these problems which the Society seeks.

The Policy Game

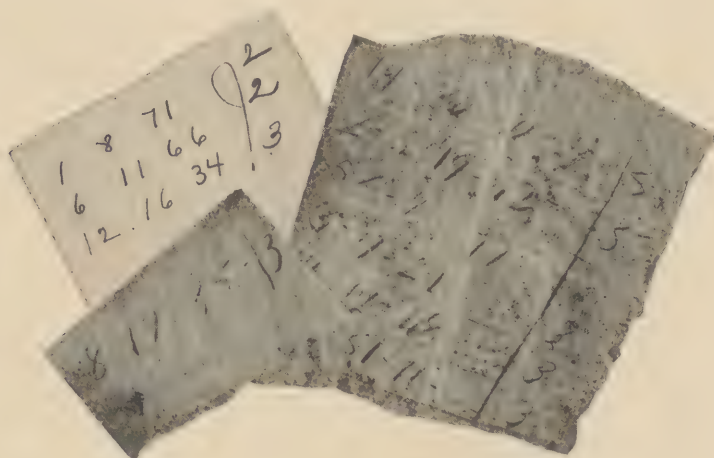
What proved to be one of the society's most effective recent attacks was the policy raid in 1915. Policy is known to the initiated as a 'robber's game' because of the enormous chances against the player. The hopeless chance of winning a dollar for a cent, however, lures the victim on. The conscienceless greed of its backers has nearly always sought to steal even the remote chance which the player might have in the game honestly conducted.

It is particularly vicious because, receiving wagers from two-cents up, it encourages the poor to gamble and tempts women and children.

The game is a lottery in which there are two drawings, at 1 P. M. and 6 P. M. daily. Any numbers between 1 and 78 may be 'played,' in combinations of two or more, three numbers being the common play or 'straight gig'—viz.: 4-11-44. Twelve numbers are drawn at 1 o'clock and 13 numbers at 6 o'clock, and the 'player' makes a 'hit,' or wins, if the numbers he has 'played' appear among the numbers drawn. The combinations or 'gigs' are 'played' for as little as 2 cents. If a 'straight gig' wins, the player gets one dollar for every cent bet, or 'played,' upon it.

'Writers' are the local dealers who receive the bets or 'plays,' and copy them on sheets, called 'books,' which are delivered to 'runners,' or messengers, who in turn carry them to headquarters or to the 'backers' who are the financial men behind the game.

Not since the Society was instrumental in 1901 in con-



*Actual policy plays for two,
three, and five cents*

victing 'Al' (Albert J.) Adams, then known as the 'policy king,' had any successful effort been made by the police to banish the backers. 'Writers' and 'runners' could be found, but their arrest led only to their replacement by others. The task of learning the personnel, organization and methods of the big men behind the game required our patient and painstaking effort for over a year. Acquaintances and confidences had to be carefully developed, daily habits had to be learned and studied. The trail could not be followed too closely for they were wary.

Experience in the days of Adams was of little value, for methods had changed. In Adams's headquarters were great quantities of paraphernalia and data, but now no man carried more than was absolutely necessary, and he got rid of it as soon as possible. 'Books' were delivered on street corners and the place changed daily. In the old days the 'drawings' of winning numbers were made outside the City, and even yet they were reputed to be drawn in Ken-

SOCIETY FOR THE PREVENTION OF CRIME

The image shows a handwritten ledger or policy writer's book. It contains multiple columns and rows of numbers and dates. The handwriting is in cursive and ink. The page is divided into several sections by horizontal lines. Some entries include dates like 'May 27' and 'May 28'. There are also some larger numbers and some text that appears to be names or initials.

A policy writer's book, or record of business for the day of the raid, May 27. This was captured with the backers and a carbon copy at the home of the 'writer.' Remember that the backers had this before they made the drawings

tucky. As a matter of fact three men, representing the three divisions of the game here, met twice daily at 1 and 6 in the afternoon and in an inconspicuous furnished-room



*The tell-tale bag and lottoes with which the
backers choose the winning numbers*

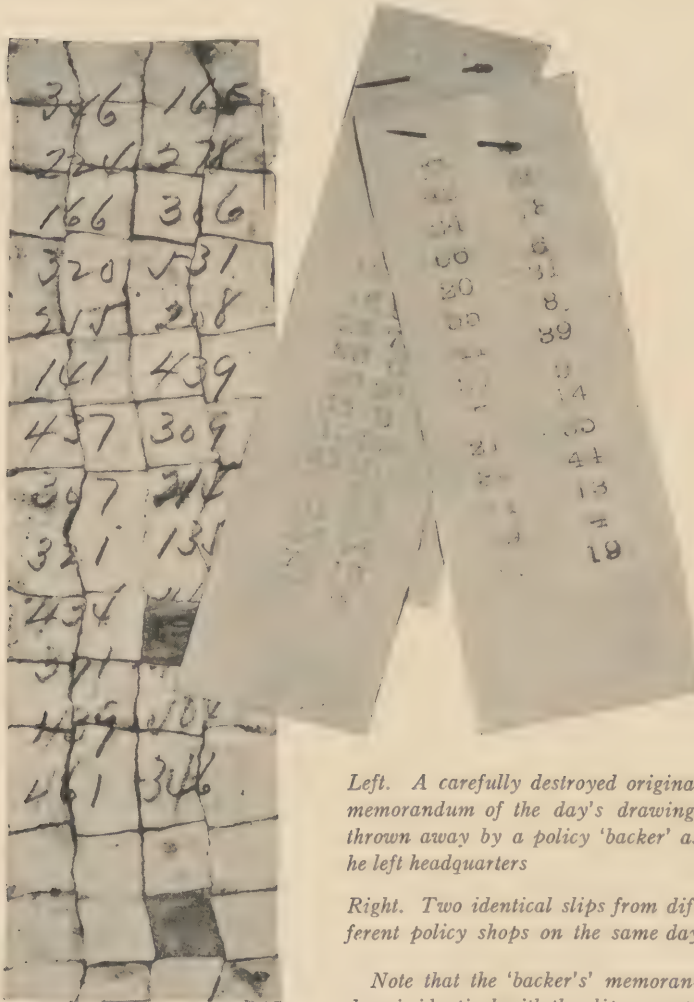
house selected the winning numbers. In many cases these men could prevent players from winning, because the 'plays' were already in their hands before the drawings were made. This we were prepared to fully prove.

The game was played all over the City and in order not to expose our hand unnecessarily, we were obliged to so time our final attack at all points that every policy man arrested would be found in actual possession of paraphernalia (itself a felony).

The raid finally took place on May 27, 1915. All of the Society's agents were distributed throughout the City, each with a sufficient assignment of police officers in plain clothes under his direction. This required 45 members of the police department selected for the purpose by Lieut. Daniel E. Costigan.

The point of greatest interest was the address on West 11th Street where the 'higher ups' met daily to make up the drawings. They had taken a rear room of a respectable landlady who knew nothing whatever of their business.

SOCIETY FOR THE PREVENTION OF CRIME



Left. A carefully destroyed original memorandum of the day's drawing, thrown away by a policy 'backer' as he left headquarters

Right. Two identical slips from different policy shops on the same day

Note that the 'backer's' memorandum is identical with the slips, except that, in order to make identification difficult, a third figure has been prefixed to each of the 12 numbers drawn. The 13th number is the sum of the 12 numbers, totalled for convenience in telephone verification. These bits of evidence proved that the 'Kentucky' drawings were really made in New York City.

SOCIETY FOR THE PREVENTION OF CRIME

This day they were permitted to enter and select the numbers, but as they left the room all were captured by the officers, who suddenly came from a moving van in front of the house.

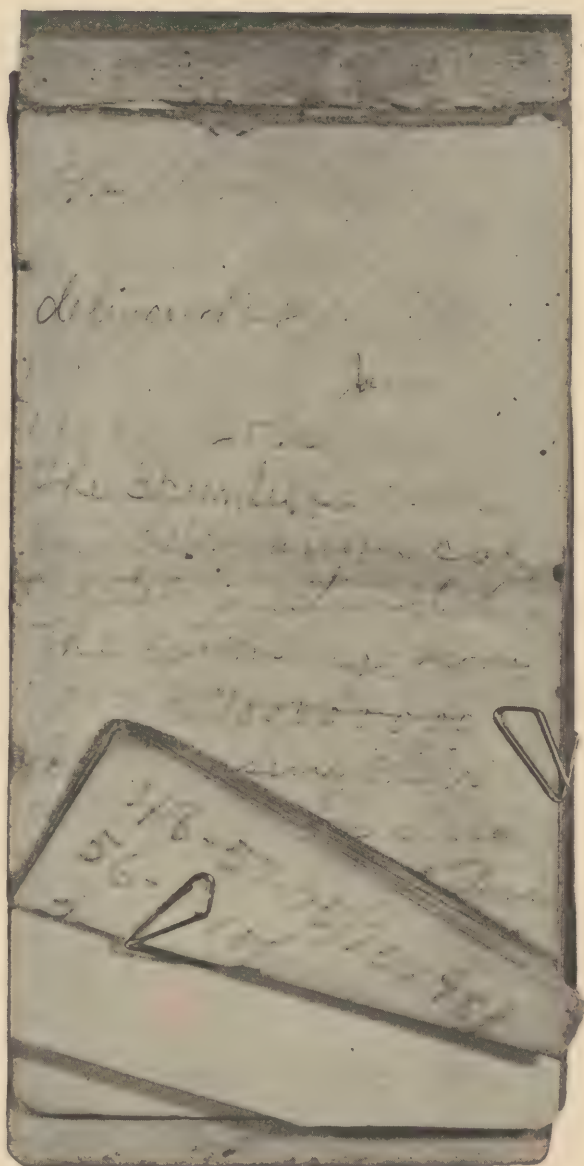
Each of the men arrested at the 11th Street house had several hundred dollars in bills in his pocket, while in their room were found 'plays' for the day, 'books' or sheets containing all of a 'writer's' business, official drawings for several days and *even the bag of wooden numbers with which to draw the winners*. Meantime another backer had been captured at First Street and First Avenue.

In these four men the Society had captured the practical heads and directors of the policy swindle in New York City. Besides these were indicted twelve others, making sixteen in all. So complete was the evidence that every person indicted pleaded guilty. The backers employed astute counsel and yielded only after a physician's certificate failed to delay the trial of the oldest offender.

The sentences imposed are as follows:

John J. Saul,	Penitentiary 6 months and \$1,000 fine
Peter Matthews,	Penitentiary 6 months and \$250 fine
Solomon Goldsmidt,	Penitentiary 6 months
Charles Wallace,	Penitentiary 11 months
Frank Sauer,	Penitentiary 9 months
Edward Sawyer,	Penitentiary 6 months on one offense and suspended sentence on another
Jacob Nester,	Penitentiary 3 months
John Mulgrew,	Penitentiary 3 months
Frank Farrell,	Penitentiary 30 days
John Lorenzo,	Penitentiary 1 month
Joseph Halstead,	Suspended sentence
Thomas Crow,	Suspended sentence
Irene Wells,	Suspended sentence
Adolph Van Dolan,	Suspended sentence
Max Schwartz,	Suspended sentence
Bertram Corister,	Sentence adjourned

In the possession of a 'runner' were found two religious lectures by himself on 'The Glory of Ham' and on the back



A religious lecture on 'The Glory of Ham,' with policy 'gigs' on the back. Found in the pocket of the 'writer' whose name it bears

of these was a list of policy 'gigs.' Another policy man had a certificate as a preacher. A third offender, a woman, tried to swallow the evidence, which was recovered only after a struggle. Lack of space forbids the giving of details of the long and patient campaign which thus removed one of the unconscionable sources of temptation and loss to the poor of our City. Nor did the big offenders escape at the expense of the little ones. Highly organized policy in New York City is crushed for the first time in a generation.

Spanish Policy or 'Boleto'

For fifteen years past, a similar lottery game, called 'Boleto' or Spanish 'policy' has been widely played among the Cuban and Spanish-speaking people. So far as we have learned, however, police had never obtained a conviction. In January of this year the Society began an investigation aimed at the promoters and on May 22, 1916, by simultaneous raids throughout Manhattan, we were able to arrest every one of the backers and many of the agents. As a result twenty-four persons in all, of whom five were backers, were subsequently indicted by the Grand Jury. In accomplishing this coup, the Society required, in addition to its own agents, the assistance of fifty-two picked men from the police department under the direction of Lieutenant Costigan.

In all the following cases, defendants have already pleaded guilty of violating either 974 or 1376 of the Penal Law, with dispositions as noted:

<i>Name</i>	<i>Disposition</i>
Jesus Marredo	\$300.00 fine
Felice Gangemi	300.00 fine
Arturo Aldabert	300.00 fine
Antonio Escalona	200.00 fine
Louis Bulte	City Prison 30 days
Pedro Fernandez	75.00 fine
Octavio Lemarta	25.00 fine

WED. MAY. 26, '15

International Stock Co.'s Quotations

TO-DAYS' TRANSACTIONS

FIRST QUOTATION

NAME	Percentage
42 Am. Steel.....	„4
34 Am. Leather.....	24
28 Am. Rubber.....	27
76 Con. R. R. of Utah	54
61 Con. Wax.....	46
15 Erie Corn.....	65
26 Fulton Loco.....	40
39 General.....	11
11 Inter. Air Brake....	60
68 Kansas Tool Co....	30
„9 Louis Paper Co....	53
45 Manhattan Tin.....	38
Pressed Air Co.....	
South. Ry.	
295 Twin. C. R. T.....	345

BEWARE OF COUNTERFEITS

An 'official print' of the policy drawing for the day before the raid.
Furnished only to agents. All reference to stocks is 'fake'

SOCIETY FOR THE PREVENTION OF CRIME

Thomas Gerano	\$25.00 fine
Pedro Tangius	10.00 fine
Bernat Ramos	10.00 fine
Juan Martinez	10.00 fine
Raymond Aranjó	Sentence suspended
Louis Mones	Sentence suspended
Angel Reyes	Sentence suspended
Henry Sandoval	Sentence suspended
Gregory Sanchez	Sentence suspended
Joseph Trico	Sentence suspended
Joseph Guil	Sentence suspended
Joseph Deza	Sentence suspended
Frank Santiago	Sentence suspended
Lolu Money	Sentence suspended

In addition to the above, bail has been discharged with our consent in three weak cases.

In thus supressing another pernicious influence in our community, the Society again submits for public approval and support its method for bettering conditions by fighting evils only at their sources.

The New Louisiana Lottery

During the past year the Society chanced upon a bulletin of what was termed the 'New Louisiana Lottery.' Careful investigation finally identified and located the apparent proprietor in Paterson, New Jersey, and after much patient work the printer whom he patronized in this City was found.

At this point, however, the federal department of justice arrested agents in Bridgeport and other cities and through them obtained evidence to capture the proprietor himself. We therefore turned over to the federal officers the evidence gained by the Society.

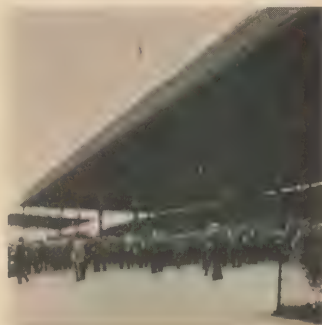
Race-Track Gambling

Governor Hughes's great campaign against race-track gambling appeared at the time successful. And the dependence of horse-racing upon bookmaking for support was

SOCIETY FOR THE PREVENTION OF CRIME

practically conceded when the racing associations closed the tracks for several years thereafter.

But those who would circumvent the gambling laws are never idle. The Shane case, a so-called 'test case,' was planned upon an affidavit which was plainly incomplete and insufficient as to facts and drawn in such a way as to lead inevitably to a decision which would form a basis for circumventing the spirit of the law. On a writ of habeas corpus Justice Scudder, instead of summarily disposing of it, used the occasion to write a lengthy opinion. That opinion with its *dicta* encouraged a new system of book-keeping for bookmakers, and the practical result was an immediate revival in New York of public horse-racing with the usual gambling accompaniment.



The betting ring—Belmont Park

The opinion is reported in 78 *Miscellaneous Reports* at page 7. The judgment rendered by Judge Scudder was affirmed without an opinion by the Appellate Division for the second Department, in February 1913. The appeal to the Court of Appeals was dismissed by that Court, because the appeal was improperly taken, and thus the issues raised were never passed upon by the Court of Appeals.

The Shane case *dicta* caused confusion and uncertainty

SOCIETY FOR THE PREVENTION OF CRIME

of the law in the offices of the local district attorneys. In the meantime Belmont Park had opened, and notorious bookmakers with their following were prominently stationed in front of the grand stand, publicly quoting odds and receiving bets.

The local peace officers were there, but their presence caused no alarm among the gamblers and their uniforms were more conspicuous than their activities. Eyes had they, but they apparently saw not. An agency, which in policing race-tracks throughout the country is familiar



The betting ring—Saratoga

with the race-track "touts," was employed by the managers here. Its agents supervised the gambling, minimizing those features which might embarrass the committee of prominent men in charge, but showing no disposition to otherwise suppress the gamblers' activities. On the other hand they trailed the Society's agents and pointed them out to gamblers.

The Society determined to urge the responsibility of the magnates who were conducting the race-meet, under Section 973 of the Penal Law, declaring it to be a misdemeanor to keep a place or enclosure "used for gambling or making wagers."

Several agents of the Society visited the track and found

SOCIETY FOR THE PREVENTION OF CRIME

no difficulty whatever in placing bets with bookmakers. Letters were prepared and sent to each of the four associations conducting the meet, and to the Chairman, and



*A writer recording
bets in his pocket*



*A prominent 'bookie,' his
writer and cashier*

the three other members of the joint committee, requesting that they suppress gambling at the track. Similar demands were made of the Sheriff and District Attorney of Nassau County.

When conditions continued unchanged, basis for summary action was laid by presenting our evidence to Governor Sulzer. After reading it the Governor made a private investigation and approved our position by directly demanding action by the Nassau County officials.

Meanwhile our investigation was continued. The bookmakers publicly quoted their odds, and accepted wagers, money passed openly, runners conveyed bets and writers recorded in their pockets the bets accepted. Any eyes could see, and any ears could hear all that happened.

SOCIETY FOR THE PREVENTION OF CRIME

'Tips' on 'good things' were given out by at least one peace officer who was friendly with a prominent 'bookie.' The professionals, in the midst of a large crowd of bettors,



*This writer needed both hands
to make pocket records*



*A peace officer who gave
out 'tips' on the races*

stood day after day, out in the broiling sun in front of the grand stands, with their *backs* to the track instead of taking seats as spectators in the shade of the grandstands.

Our letters had continued to press the chairman of the race-meet with his responsibility, until he sailed for Europe on the morning after replying to one of them.

About the same time the attack upon Governor Sulzer was made resulting in his impeachment. Had this not occurred, there is reason to believe that, had it been necessary, the race-tracks would have been forcibly closed for the sole purpose of suppressing gambling.

The Grand Jury had adjourned for the summer and there was no other until October. At that time the local racing season was over, and public interest had abated.

The Grand Jury, however, listened with interest for over two hours to the evidence which in our opinion warranted the finding of an indictment. Considering the influence of the alleged violators and some facts about the jury, it is not surprising that they finally failed to indict.

The confusion occasioned by Justice Scudder's opinion should be cleared either by appeal in a proper case, or by statute. Much was accomplished in the recent case of *People, etc.*, against Solomon, decided October 6, 1916, by the Appellate Division in the same Department, where the Court clearly defined bookmaking, in effect disagreeing with the *dicta* of Justice Scudder and sustaining the contention made by the Society in the Shane case.

Proposed Amendments. The Society has already had introduced in the legislature two amendments. One defines what shall be *prima facie* evidence of gambling and bookmaking under Article 88 of the Penal Law, as follows:

Proof of the making or accepting of more than one bet or wager by any person for himself or another, upon the result of any race or contest, or in violation of this section shall be presumptive evidence of gambling specified in this chapter. Additional proof that such person also quoted or showed odds on more than two horses in any such race shall be presumptive evidence of bookmaking, specified in this chapter. But these methods of proof shall not be exclusive.

The other provides for complaint to the racing commission by *any* person by amending Section 287 of the Membership Corporation Law as follows, it being now held by the Commission that it *cannot* act unless the Jockey Club complains: (Matter in parenthesis to be stricken out; italicized matter is new.)

287. REVOCATION OF LICENSES. If any corporation or association to which a license shall be granted shall fail or refuse to comply with the provisions of this article, or with the terms and conditions of its license, or if for any other reason the continuance of such license shall not be deemed conducive to the interests of legitimate racing or to *public morals*, the said commission (upon the complaint of said Jockey club,

SOCIETY FOR THE PREVENTION OF CRIME

in the case of race-courses to be used for steeplechases), shall *after public hearings* have the power to cancel and revoke such license. Written notice of (such) *any* complaint shall be given to such corporation or association by said state racing commission within five days after receiving such complaint, which notice shall specify a time and place of hearing *all parties* thereon. If the commission cancels and revokes such license all powers exercised under section two hundred and eighty-two of this article by the corporation or association to which such license was granted shall cease and determine.

Neither amendment passed the legislature.

Opportune Aid in Breaking the Wood-Block Paving Monopoly

Incidental to an investigation of New York City's Civil Service conditions made in 1914, it was found that wood-block pavement was being laid in New York City, under 'closed' specifications, issued by the Department of Public Works under the direction of the consulting engineers of all the boroughs except Richmond, the consulting engineer of Manhattan taking the lead. The consulting engineer of Richmond refused to follow this lead and kept its specifications 'open.' This condition had continued for a number of years, and it was claimed that the purpose and effect of it were to deliver all wood-block paving contracts to the 'coal-tar trust,' and to shut out those superior methods in which true creosote oil is used in the treatment of wood-blocks.

It was claimed that a powerful combination was at work all over the United States to thus secure this monopoly in the large cities for the benefit of the coal-tar trust concerns, which were bound together by interlocking directorates; and that officials connected with the department in New York City were helping them. It was claimed that the resulting monopoly was furnishing pavement that could not be compared with the excellent pavings laid in past times under the true creosote oil method. To expose this condition, competent engineering advice and testimony

which was free from the powerful influences of the trust was necessary. It was a large opportunity.

Colonel James W. Howard, an eminent consulting engineer and the son of Major-General Oliver O. Howard, was willing to undertake the work for a very moderate fee, and as the attitude of the State authorities upon his bill could not be foreseen, this Society assumed a contingent responsibility for five hundred dollars of it. Colonel Howard testified, and the situation was thoroughly exposed. The state authorities declined to audit Colonel Howard's bill on the ground that the work was not necessarily connected with the civil service investigation, and this Society very cheerfully made good its partial underwriting. After the exposure the Borough President obtained the resignations of the consulting engineer and several other engineers and employees and issued 'open' specifications for wood-block paving. This quiet service to efficient city administration permitted the users of true creosote oils to compete with the purveyors of the coal-tar trust's products, and our entire municipality will be the beneficiary. (See Report of the Investigation of the Municipal Civil Service Commission and of the Administration of the Civil Service Law and Rules in the City of New York, made by the State Civil Service Commission, transmitted to the legislature February 1, 1915.)

Acknowledgment is made to Colonel Howard for the performance of exacting service for inadequate compensation, at risk to his own business interests and with the certainty of the abusive attacks that were made upon him; and also to Richard E. Lamb, an engineer whom he associated with him.

Traffic in Habit-Forming Drugs

No more pernicious and destructive evil has recently commanded our attention than the traffic in, and use of, habit-forming drugs, especially opium, morphine, heroin,

cocaine and hasheesh. It would be impossible to exaggerate the extent of this problem or the difficulty of solving it. Penal authorities have said that 'dope' causes or contributes to the plight of not less than 60% of all criminals sentenced. The problem is neither local nor limited, but national and international.

Narcotic addiction is not, like ordinary habits, merely a question of mental control. Once confirmed, the habit is accompanied by a physical condition of demand which nothing but the drug will satisfy. If not at once relieved the subject suffers horrible tortures of pain and weakness. At such times the strongest will is of no avail and the desperate addict will commit any crime to obtain relief. Interested persons who have not come in contact with these pitiable conditions would do well to visit the local hospitals where they are now treated.

'Dope' destroys the boy, mentally, morally and physically. Once a drug-slave, he *must have his drug*, or medical treatment, and as new laws make illicit sales more dangerous, prices of 'decks' (the quantity ordinarily retailed by pedlars) become more extortionate. Having lost employment, he *must sell the drug or steal*, in order to get money for its purchase.

The terrific increase in the number of 'dope-fiends' is due largely to the prevalence of the 'sniffing' habit. 'Sniffers' take the drug (usually cocaine or heroin) in powder form by drawing it through the nostril where it produces prompt effect by contact with the delicate membranes of the nose. In some addicts the drug has eaten a hole away through the tissues between the sides of the nose.

'Sniffing' is at once more convenient than opium-smoking or 'jabbing' with the 'hypo' (injecting with a hypodermic needle) for it requires no utensils to be disposed of if police approach. It is, however, far more injurious, for the quantities taken are always greater than necessary, and the 'sniffer' is unable later to reduce the dose. Heroin, a



*Cocaine, novocain, heroin, morphine, opium, and hasheesh purchased in illicit traffic from 200 dealers.
Also fake 'cures' for the drug habit*

SOCIETY FOR THE PREVENTION OF CRIME

morphine derivative, is the most common 'sniffing' drug to-day, and the fact that it is about three times the strength of morphine explains why boys and girls are wrecked so quickly by the 'sniffing' habit.

The responsibility for the prevalence of drug addiction rests with some patent medicine manufacturers, and with careless or unscrupulous physicians and drug dealers.

When our investigation began, little was known regarding the markets and channels of supply. There was little or no law to meet the new conditions which had arisen and it would be many months before the legislature would be in session. In accumulating facts our agents had to patronize the haunts of thieves and gangsters. Chinese, negroes and desperate whites, some with the taint of suspected murder, were met, and it is not strange that our agents had mishaps. Twice they were robbed, once drugged, by the gangs, but the work went on. Purchases of 'dope' were made from nearly 200 illegal sellers, including several drug stores, and practically every one of these has since been convicted and sentenced, in either the Federal or State courts. With our information or assistance not only have the local police been able to capture opium smokers with their pipes, and pedlers of cocaine and heroin, but the special agents of the United States Treasury Department have found it simple and certain to catch manufacturers while actually cooking opium in pots.

There were several market centers at the outset. Chinatown was a prolific source of opium, and there is still plenty to be purchased there if the buyer is known. The price per can, however, has gone from between \$9 and \$12 to \$45 and \$75. We were told of cocaine that "It grows" on 7th and 8th Avenues between 36th and 41st Street. This neighborhood, extended to 46th Street, is still infested, but there is a great improvement in this connection. The colored section known as 'San Juan Hill' was a hot-bed of 'dope' traffic, fostered by white 'merchants.' One of the



Violation was found here

latter was found to have paid at wholesale in another State about \$15,000 for drugs which to the 'fiend' would retail for about \$90,000. At that time there was no law to reach this wholesaler but laws have since been enacted to meet such a case. Outwardly 'San Juan Hill' has improved greatly, but years will not undo the injury caused those people. 'Little Italy' in east Harlem is perhaps at present as large a market as any. Bronx users, of whom there are many, are supplied largely in Harlem.

Court records indicate an increase in the number of convictions during the past year for violation of the 'drug' laws. This would show that police activity has been persistent. Certain it is that the stranger finds no such ease in purchasing as he did, two or three years ago. On the other hand there is no indication that the user is deprived of his illicit supply, except for lack of the price of it. The con-

clusion follows then that original channels have never been closed. Whether manufactured secretly here or brought from a distance, the supply is continuous and sufficient for the addicts. To date the efforts to locate the largest traffickers seem to have been superficial. Removing for a season the leaves or an occasional branch from this tree of illicit traffic will never kill the tree. Heroic steps should be taken to locate and tear up the roots.

The ultimate solution of this stupendous problem may require that all habit-forming drugs shall be manufactured or distributed by the federal government, which might then better trace and limit the sale and consumption of them.

Drugs to Penal Institutions. The Society discovered many methods of smuggling drugs to inmates of penal institutions and enabled the officials to stop these channels. In two cases we were able to report the names of inmates who possessed hypodermic syringes, which they rented at a price per 'jab.' Quantities of drug were easily sent into the Tombs and other prisons, in food—coffee, canned milk, cakes, bread, etc.—and as a result a special caterer was provided, and sending in food was forbidden. Handkerchiefs were saturated, magazines, shoes, etc., were prepared with containers.

The Case of 'Dr.' Baxter. We were especially fortunate in securing accurate information and paving the way for the arrest and conviction of 'Dr.' Charles F. Baxter by Commissioner Katharine B. Davis and Deputy Commissioner Lewis of the Department of Corrections. Although 'Dr.' Baxter had a criminal record on account of which he had lost his license to practice as a physician in New York, he had nevertheless, prior to Dr. Davis's incumbency, been able through political influence to become appointed head physician at the Workhouse on Blackwell's Island. As such he would, for a price, have persons transferred to the hospital, where they lived comfortably and avoided work.

SOCIETY FOR THE PREVENTION OF CRIME

He charged for rugs for the floor and for many other privileges. He also sold 'dope' to the inmates and pocketed the money. There is foundation for the estimate that Baxter



Another violator



*A conviction was obtained
from these premises*

grafted from the poor inmates not less than \$50,000 for drugs and privileges during his eight months' incumbency. He was convicted of selling morphine and sentenced to one year's imprisonment and \$500 fine. Meantime he was indicted for bribery, to which he pleaded guilty and he is now serving three years in Sing Sing prison.

The Boylan Anti-Drug Law

We were largely instrumental in obtaining the final passage by the New York Legislature of the Boylan Narcotic Law, being Article 11-a of Chapter 45 of the Consolidated Laws. Several bills had been introduced in the 1914 legislature having for their purpose the local suppression of the already stupendous traffic in narcotics. The Society had taken part in conferences and had endorsed

every bill having merit. One week before adjournment, however, those who had assumed to act had accomplished nothing and legislation on the habit-forming drug problem seemed hopelessly blocked for the session.

Then it was that the Society assumed the lead in the fight at Albany. The Boylan bill alone seemed worthy of the struggle which continued through day and night and was crowned by the final passage of the bill.

This law has been published broadcast by newspapers and medical and drug journals and we believe was the most advanced legislation on the subject in the United States. We have distributed copies to officials of every state in the Union. It is reprinted in the appendix to this report. See page 78.

Drug addicts treated. The value of this law has been but mildly reflected in the newspapers. It made unauthorized possession of narcotics a misdemeanor and *for the first time made compulsory the free medical treatment of the drug slave.* The value of the latter provision has been twofold. Not only has it afforded needed relief to the addict, but it has established the wide-spread ignorance of physicians regarding the character and treatment of the drug habit. Hospitals were at once compelled to multiply their facilities, so large was the number of drug patients.

The present facilities for taking care of addicts are quite inadequate. Not only are the quarters for committed addicts overcrowded, but there are practically no appropriate and sufficient provisions for the complete treatment of an addict without his commitment to the company and quarters of convicts.

As to what constitutes a 'cure' and what manner of treatment is most appropriate, there is no authoritative statement. It is hoped that one or more of the hospitals devoted to medical research work will soon undertake an exhaustive study of drug addiction, so that an unbiased

and authoritative opinion may carry conviction to all who read.

Hypodermic Syringes. The Boylan Law also forbids the sale, except on prescription, of hypodermic syringes. Druggists have generally conformed, but two pawn-brokers who sold second-hand syringes to our agents were arrested, and on their pleas of guilty in Special Sessions sentence was suspended.

Recent Amendments. During the past two years we have assisted in obtaining a few needed amendments to the law. One permits the reception of convalescent addicts at Warwick Farm, another requires a physical examination before a physician can dispense a narcotic, while a third makes sale of drugs to a minor under 16 a felony.

Further Amendments Needed. Many corrective amendments are needed—to strengthen the weak places found by experience and make effective the intent of the law. But in addition, certain fundamental and constructive amendments should be enacted. Patent 'remedies' containing less than certain maximum amounts are still outside the law, owing to the powerful influence of manufacturers. A small dose, however, taken regularly, may create a narcotic-habit; therefore all should be brought within the law.

There are also physicians who are dispensing these drugs under the guise of a drug 'cure.' We drafted an amendment which was introduced last year, requiring that physicians file with the Board of Health particulars of symptom and treatment, if drug addicts were supplied with drug beyond a limited period. Passage was expected, but sudden up-state opposition blocked it on the day of adjournment.

This year substantially the same amendment was introduced after it had been discussed, revised and approved by a conference of physicians, druggists, public officials and others, and it reached third reading in the Senate where it was unopposed. In this situation, nevertheless, advantage

SOCIETY FOR THE PREVENTION OF CRIME

was taken of peculiar conditions by those interested in an unsuccessful and undesirable measure, to substitute the latter for the former. The imminent adjournment of the legislature prevented the rectification of the wrong and as a result no amendments were passed.

A large conference of federal, state and city officials and others has been recently called by Justice Collins of Special Sessions to ascertain facts and determine methods of coping with the various phases of the drug evil. The Society is represented therein by its Superintendent and it is confidently anticipated that this Conference will among its recommendations include those amendments the passage of which was delayed last year.

An amendment is also needed defining what shall constitute a 'physical examination' as required by the statute before these drugs may be dispensed.

While no amendments were passed last year, the Society assisted in securing the passage of a joint resolution calling for the appointment of a committee of five legislators to conduct an inquiry into the subject and report to the next legislature. This committee is now organized and will hold its first hearing on December 4, 1916, in New York City.

The Harrison Anti-Narcotic Law. Since the passage of the Boylan bill, needed Federal regulation of the traffic has taken form in what is called the Harrison Law enacted by Congress, December 17, 1914, the general principles of which followed the Boylan law, and the scope of which is nation-wide. On June 5, 1916, however, the practical value of this law was greatly lessened by the decision of the United States Supreme Court, affirming the judgment of the lower court in the case of *U. S. vs. Jin Fuey Moy* which held that unregistered possession was not a violation except in the case of a dealer.

Board of Health Regulation. Having been unable to include all patent medicines within the Boylan Law, we were

SOCIETY FOR THE PREVENTION OF CRIME

gratified to find the New York City Board of Health responsive to our suggestion of this need. The Board has legislative authority within the limits of the Sanitary Code, and Dr. Haven Emerson, Commissioner (then Deputy) of Health, for many years connected with Bellevue Hospital and its alcoholic and drug ward, strongly advocated the suppression of the sale of narcotics, even in patent medicines, except on prescription.

Our President was made a member of the Advisory Council to the Health Department, and against the opposition of the commercial drug interests this Council finally approved an amendment to the Sanitary Code embodying this provision. And in July, 1914, the Board of Health adopted the amendment as follows:

Sanitary Code. Sec. 126. Habit-forming drugs; sale and distribution regulated.—No opium, morphine, chloral, or *cannabis indica*, or any other substance giving a physiological re-action similar to that of opium; or any salt alkaloids, or derivatives, of any of the said drugs or substances; or any preparation, compound, or mixture, containing any of the said drugs or substances or their salts, alkaloids, or derivatives shall be sold at retail or given away in the City of New York except on the written prescription of a duly licensed physician, veterinarian, or dentist.

The foregoing provisions shall not, however, apply to preparations, compounds, or mixtures, containing any of the aforesaid drugs or substances or their salts, alkaloids, or derivatives, prepared for external use only, in the form of liniments, ointments, oleates, or plasters.

'Hasheesh' (*cannabis indica*), a drug tending to create a homicidal mania, was inserted at the sole solicitation of the Society.

Letters of Appeal. Some of the more worthy letters received from drug addicts by other interested persons have been forwarded to us for attention. These appeals have come from all parts of the United States and have received our attention and advice. The only person who could come here was provided with treatment, after which he returned to his home fully cured, and another was provided with a

SOCIETY FOR THE PREVENTION OF CRIME

reputable 'home-cure.' The latter treatment seldom succeeds, but was our only hope because of distance.

'Influence' Fails. A political district leader, the proprietor of two drug stores, was convicted of violating the Boylan Law. Prominent politicians and eminent counsel sought strenuously to save him from prison sentence. Other convictions for selling drugs had been had from one of his stores, and the neighborhood had become notorious for drug addicts. Two weeks of wide search enabled the Society to present to the Court complete evidence of the traffic which had been going on there for years, which resulted in the defendant being sentenced to six months in the penitentiary and in addition to pay a fine of \$500.

Boys Made Thieves. Two broken-hearted mothers, strangers to each other, came from the same neighborhood recently to ask aid in saving their boys, who were stealing in order to buy the drug. The Society sent an agent who soon became acquainted with the whole 'gang' to which both boys belonged. Four of the group were soon arrested, a fifth left town and the remainder disbanded. One was sent to the workhouse, one was placed on probation with responsible friends, the third was sent to a farm in New Hampshire and the fourth to the Warwick Farm for treatment, all to the relief of four mothers. Then we went after the dealer who sold the drug, and after a rough and tumble fight, landed him in jail. He was convicted and sent to the penitentiary for one year.

A Woman 'Fagin' Convicted. A 14-year-old boy was caught stealing morphine from the drug-store where he worked. He said he was urged to steal it by a woman who ran a penny candy store on 11th Avenue, near DeWitt Clinton playground. With police officers we accompanied the boy to the woman's place, having sent in ahead a boy employed by us. The woman was arrested, tried and convicted of two charges, unlawfully possessing morphine and



Candy store on Eleventh Avenue, the proprietress of which induced a fourteen-year-old boy to steal morphine from a drug store

impairing the morals of youth. Her sentence was four months on the latter charge and sentence was suspended on the former.

Excise

We believe there is not a saloon in the City of New York which caters to Sunday patronage in which the excise law is not violated. The Police Department ignores open violations and the Mayor admits his approval.

The sale of liquor on Sunday is bare-faced. Of 720 saloons canvassed, only three were closed. The attitude of the Mayor and Police Department regarding night-closing also is tolerant. One-half of 265 saloons canvassed by the Society were open during forbidden hours. Whatever may be said of the desire of respectable persons for liquor on Sunday, cannot be applied to the hours from one to

SOCIETY FOR THE PREVENTION OF CRIME

five A. M. Without the crook, prostitute, pimp, 'cokie,' drunkard and roué, many saloons could not be profitably conducted after one A. M. Their back-rooms, not like respectable restaurants observable from the street, are then the harbors of the underworld, often the breeding places of the social parasite.

To expose law-breaking for a special purpose, the Society obtained convictions for selling at unlawful hours at twenty-three addresses and the total result was twenty-two \$10 fines and one \$5 fine.

The Society also secured convictions for selling without a license at four addresses. In one case sentence was suspended while in the other three the defendants were each sentenced to serve 30 days in jail and to pay in addition a fine of \$200.

The contrast between the sentence for selling at forbidden hours and for selling at all without license is marked. In fact the former has no deterrent value, and amounts practically to a license to sell during forbidden hours.

Individual cases with such results as have been mentioned are hardly worth the time and expense involved in prosecution. Means to compel the municipal administration to recognize its responsibility are being sought.

The evil of prostitutes soliciting in back rooms has been greatly lessened. Why not make the rooms further respectable by making the interior visible from the street? Is there any moral turpitude in patronizing a saloon? If not, why cover the windows with opaque glass?

The Becker Case

In the Rosenthal investigation and in preparation for both trials of Lieut. Charles Becker for murder, the resources and agents of the Society were placed at the disposal of the District Attorney's office. In this connection Mr. Whitman wrote as follows:

SOCIETY FOR THE PREVENTION OF CRIME

June 13, 1914.

Dr. Charles E. Bruce, *President*,
Society for the Prevention of Crime,
50 Union Square, New York City.

Dear Sir:

I am reminded of the generous aid your Society has rendered this office.

Please extend to your Board of Directors my thanks and assurance of my appreciation.

Very truly yours,

CHARLES S. WHITMAN,
District Attorney.

Capital Punishment

The Society is the recipient of very many complaints from the weak and the helpless who are unable, for various reasons, to obtain the protection of the courts, and it has, in many instances, obtained such protection in civil as well as in criminal cases.

The cases of Eng Hing and Lee Dock, two Chinamen who were tried and convicted of murder in the first degree in New York County is typical of the action of the Society in endeavoring to help such persons.

In the summer of 1914, the attention of the Society's counsel was called to these two cases by an American woman engaged in doing social service work in Chinatown. Her statements, after careful investigation, bore out her claim that there was considerable doubt as to the guilt of these two men and as to the legality of their conviction, because of the perjury which had been committed upon their trial.

The men were about to be electrocuted when we succeeded first in removing from her unwholesome surroundings a white girl named Grace Mack who was living with a Chinaman, and who had been the main witness against the defendants. She was taken by us to Governor Glynn, who, after hearing her story, reprieved the two men until an application could be made for a new trial.

SOCIETY FOR THE PREVENTION OF CRIME

When the Society was called into the case, the record against these men had already been made. It showed, however, that the original Coroner's jury who heard the evidence, was doubtful about the guilt of the defendants. The jury upon the first trial disagreed and the conviction on the second trial was affirmed in the Court of Appeals by only four out of seven judges. One member of the Coroner's jury stated: "I don't see any evidence to show that these two particular fellows have been guilty of shooting a man. It looks to me like a put-up job."

With the record before us and after considerable investigation on our part among unsavory characters and in vile places where the trail led us, we obtained enough evidence to justify an application for a new trial.

The defendants who appear to have affiliated with the Chinese society called Hep Sing Tong were accused by members of the opposing society, the On Leong Tong. They declared they were being 'framed up' for factional reasons. Eleven months after the crime was committed, the On Leong Tong leaders produced in the District Attorney's office two of Chinatown's white women, named Grace Mack and Flossie Wong, who told a circumstantial story of what they claimed to have seen, and it was upon their testimony that the conviction of the men was had.

As the time for the execution of the men approached, the conscience of one of these women—Grace Mack—led her to tell the truth, and, facing probable imprisonment for admitted perjury and incurring the bitter enmity of the Chinamen who belonged to the one faction—and leaving the home which one of these men had provided for her—thus taking her life in her hands, she testified upon the hearing for a new trial, and was subjected to a scrutinizing cross-examination, but her story was not shaken. In substance, she testified:

I did not see the shooting. I was not there at the time it occurred, but was at a moving picture theatre. The other witness, Flossie Wong,

SOCIETY FOR THE PREVENTION OF CRIME

did not live where she claimed to have lived, nor was she celebrating her birthday as she testified. Just before the trial I was asked to go to the On Leong headquarters where I met Flossie Wong, Jim Gum (the leader of the On Leong Tongs) and others, and was told the main facts of the murder, and afterwards Flossie and I talked over the details of the story we would tell. The man who lived with me was a member of the On Leong Tong.

Grace Mack, upon the trial, had made it appear she was living a respectable life whereas in this hearing it was shown she was living with one of the Chinamen involved in the shooting and a member of the faction prosecuting the defendant. It was demonstrated upon the hearing for a new trial that the other witness, Flossie Wong, had committed perjury and had told a false story, and much other perjury was shown.

Unfortunately, the District Attorney's office, in its attempt to uphold its record, did not co-operate with our efforts to establish the truth. The majority of the jurymen made statements that they had convicted the men upon their belief in the testimony of the two white women.

Nevertheless, the trial justice denied the application for a new trial, holding—under a technical construction of the statutes upon which a new trial could be granted—that a recantation by a witness of testimony given upon a trial, was not 'newly discovered evidence' within the meaning of the provisions of the Code of Criminal Procedure. Thus, on technical grounds, a new trial was denied. The law did not allow an appeal from this decision.

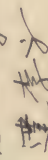
Long afterwards, however, our Court of Appeals, in another case, held that a retraction by a witness was newly discovered evidence within the provisions of the law governing new trials, and if the retraction was credible, was sufficient grounds for granting a new trial.

Thus it will appear that these men were denied a new trial on technical grounds—upon a construction of the law which a higher court subsequently held was wrong—and there

354 Hunter St.,
OSSINING, N. Y.

My Dear Mother

Feb. 4. AM. 1915

I will write this last letter to tell you the truth. I am very sorry that I come out my house for the night I was have the trouble with me but I am innocent I never committed of the crime. because I was small faultless was pick me up now I lost my life for plate of death God he will know I am innocent Well mother, I know you are working very hard for me was tried to save my life just now everything was not be done I am very sorry that I have going death for the chair I will go for the better world. and I never forget you pray for me I hope in the other world we will be all together maybe Well mother I want you did not worry about me. Keep up your heart and I hoping yourself in the best health and good bye and from your loving son Lee Dock 

Last letter of Lee Dock just before his execution

SOCIETY FOR THE PREVENTION OF CRIME

being no method of appeal there was no way of saving the men's lives except on further application to the Governor.

We did not cease in our efforts to obtain further and more convincing proof of the many perjuries which had been committed in this case, and even on the night before the execution, two additional persons were found who claimed to have facts, which if true, tended to exculpate the the defendants.

On the night before the execution these facts were communicated to Governor Whitman by telegraph and by telephone, and a request was made that he interview these witnesses, stating that we were ready to bring them to him in Albany on the next train, which would have given him time to listen to their story without delaying the execution. Nevertheless, no opportunity was afforded us to comply with this simple request.

By a chance series of events, he who had been the prosecuting attorney of this county, whose office had convicted the men, had become Governor and was in effect the judge who determined the application for clemency. These men were electrocuted despite the existence of a grave doubt, and a new trial was denied them on technical grounds, which subsequently a higher court, in another case, held were wrong.

It is of little consequence whether prejudgment or misjudgment of the case resulted in what we claim was a wrong. It is beyond dispute that human life was taken upon what was concededly perjured testimony. The common talk in Chinatown and among the police of that district is that Lee Dock was absolutely innocent of even a knowledge of the crime.

Our experience in this case has led us to believe that these amendments should be made in the law:

First:

Arbitrary capital punishment should be abolished, and, as already provided in many states, the jury should be permitted to deter-

SOCIETY FOR THE PREVENTION OF CRIME

mine the penalty for the crime of murder, as between capital punishment and life imprisonment.

Second:

If capital punishment is to remain, the technical rules governing the granting of new trials in cases involving capital punishment should be broadened, and the right to appeal extended.

Third:

The pardoning power should be removed from the Governor, and vested in a Board of Pardons.

It is doubtful if the Governor of a great state like New York has the time or the facilities for fully and fairly considering each case. Nor should it be permissible for an individual who has been responsible for the conviction of a person for murder to pass final judgment on that person's application for clemency.

Prostitution

Prostitution in New York City has undergone great changes since the Society, under the leadership of Dr. Parkhurst, set out to expose the corrupt alliance between vice and the police department. Probably we have never known a time when commercialized vice was so little 'protected' as it is to-day. The inevitable results have been (1) the exodus from New York City of many professional prostitutes and pimps, and (2) a gradual but so complete change in the methods of the remaining prostitutes as to require changes in the law governing this vice.

Assignment Hotels. Hotels, by reason of their impersonal character, have always been the resort of the 'street walker' and many hotels to-day are dependent upon the prostitute for patrons. But now there is in most places greater care in admitting 'temporary' guests. Owing to the practice of the courts in requiring proof of admission of one prostitute to the same hotel twice in an evening with two different men, the proprietor has only to limit the woman to one entrance a day to defeat the efforts at suppression. And this is often

SOCIETY FOR THE PREVENTION OF CRIME

the practice, where ordinary intelligence would convince any observer that the proprietor knew the character of his patrons.

One of our most important convictions was that of Jacob Hertz who, with his wife Rosie, had been notorious as a keeper of disorderly places all over the lower East Side for twenty-five years. It was significant that he had never been convicted. Evidence procured against Hertz's Hotel at 39 Third Avenue first caused Sam Schweid, an employee, to plead guilty and turn State's witness, after which at the end of a bitter fight 'Jake' Hertz was found guilty and sentenced to serve 30 days in the City Prison. Such convictions always create better conditions among the little offenders.

Other disorderly hotels, where the Society obtained convictions, were:

'The Palms,' 278 Seventh Avenue. (Owner and bartender respectively sentenced to 6 months' imprisonment and \$500 fine and 4 months' imprisonment.)

28 Bowery. (Sentence suspended.)

2322 Third Avenue. (Proprietor fined \$100 and clerk's sentence suspended.)

Evidence was also obtained against the Hotel Avenel, 124th Street and Lexington Avenue.

The Hotel Belvidere, 657 Third Avenue, although within the forbidden distance of a church and near a public school, had resisted all local efforts. A liquor license existed and the place was disorderly. The Society finally took up the challenge and obtained a conviction of the proprietor who was sent to jail. The license was forfeited and the place suppressed.

The Hotel Lincoln at 52nd Street and Broadway was open to the prostitute. Two cases were made against it, one by the Society against Philip Blau and another by representatives of the District Attorney's office against an employee named Goldsmith. The cases were bitterly

SOCIETY FOR THE PREVENTION OF CRIME

fought. Goldsmith was acquitted but the Society's case against Blau resulted in conviction and a six months' sentence, while the hotel was closed and later sold at auction.

Disorderly Houses. 'Open' conditions invariably foster the 'parlor house' in which as many as 20 prostitutes may 'work' at a time under a system of charges which pockets the income for the owner and leaves the prostitute little but her shame. As already stated this type of resort is practically eliminated, at least for the time being.

A large number of houses of prostitution were suppressed by the police upon complaint of the Society. In fact, as soon as our agents began a campaign against them, the police also produced results.

Among the addresses where convictions of maintaining disorderly houses were had on raids by the Society are:

150 West 45th Street (2 defendants), fined \$50 and \$75 respectively.

123 West 29th Street (2 defendants), fined \$75 and sentence suspended.

639 6th Avenue (20 girls harbored here), fined \$50.

214 West 40th Street, fined \$50.

320 East 110th Street (Joe Glasco sentenced 6 months; also 1 year for having slung-shot).

129 West 26th Street (2 defendants), fined \$50 and sentence suspended.

128 West 25th Street, fined \$50.

163 West 27th Street, fined \$125 on two charges.

114 West 31st Street (2 defendants), fined \$75 and \$25.

129 West 26th Street, fined \$75.

160 West 24th Street (2 defendants), 1 fined \$25 and 1 given 30-day sentence.

56 West 24th Street, 30 days in City Prison.

167 West 18th Street, fined \$50.

One of the most disgraceful resorts against which we obtained evidence in our City was the Haymarket, on Sixth Avenue, a dance hall patronized only by prostitutes and their customers. It was finally closed and now is occupied as a moving picture theatre.

SOCIETY FOR THE PREVENTION OF CRIME

All this campaign by the Society, followed as it was by police activity, reduced the number of 'open' houses. It remained for the Society to strike the final blow at the agencies of the 'Vice Trust.' This was done by raids upon eighteen different addresses against which evidence had been obtained.

On the same night warrants were issued for persons at

160 West 25th Street	158 West 35th Street	455 Sixth Avenue
158 West 36th Street	162 West 36th Street	479 Sixth Avenue
210 West 25th Street	158 West 25th Street	489 Sixth Avenue
125 West 26th Street	162 West 25th Street	398 Sixth Avenue
52 West 28th Street	163 West 27th Street	626 Sixth Avenue
108 West 31st Street	440 Sixth Avenue	639 Sixth Avenue

Of these, 4 cases were convicted, 3 forfeited bail bonds after arrest, while 11 fled and could not be found on the premises.

Two weeks later warrants were obtained against a man who solicited for, and a woman who conducted a 'house' at 70 West 37th Street, while another against a tenant at Times Court, 245 West 51st Street, resulted after trial in a sentence of 90 days.

This campaign marked the closing of 'parlor houses' and we hope destroyed the wholesale character of prostitution in the City.

Vice Trust. With all this exposure of flagrant prostitution came a popular demand for better things, directed largely at the police department. With the failure of police 'protection' the chains of disorderly houses broke and the coterie of male vultures, known as the 'Vice Trust,' who reaped a maximum of profit at a minimum of risk, were driven to cover. No longer were they able to control and barter the bodies of women openly. One of the 'trust,' 'Morchie' Goldberg, was arrested, but forfeited his bail. Later he returned, but got wind of new action by the grand jury, and fled again. He is now a fugitive from justice,

but two men who attempted to intimidate the State's witnesses against him have been convicted and sentenced.

Tenement House Prostitution. While its public and highly commercialized character is absent, prostitution is still with us. It is now generally conducted in apartments and tenements, with the aid of the telephone. Compelled to work 'under cover,' each for herself, entrance to the prostitute's apartment is gained only after scrutiny and introduction by trusted 'friends.' As a rule, from one to three such women work together.

Many complaints were received and acted upon by us, in some instances so successfully that the owners of real estate finally changed their policy in regard to the class of tenants which they accepted. The tenement house law is very severe and the women who violate it receive comparatively heavy sentences to the workhouse on Blackwell's Island. Nevertheless, the condition persists. The law as it affects the proprietor of real estate has been made extremely rigid, and permits the city of New York to recover a fine of \$1,000, which becomes a lien on the real property, in cases where there are more than two convictions within a certain period.

It is now usually sufficient to obtain suppression, if accurate information is given the Police Department, and this course has generally been pursued by us.

One such case was reported, however, but the 'madame' was not disturbed. When some months later we again chanced upon her in the same district, our agents obtained evidence and raided the flat at 58 West 66th Street, arresting the 'madame,' her consort and three girl inmates for violation of the Tenement House Law, and the colored maid for violation of the Excise Law. It developed that the man was also a drug addict and seller, while the 'madame' and one girl were habitual users. All were convicted. The maid's sentence was suspended, one of the girls was sent to

the House of the Good Shepherd while the other two received 30 and 60 days, the 'madame' was given 60 days and the male 9 months.

To further evade the law some apartments are run as 'call' houses. Customers do not enter, but telephone for a particular description or age of woman who is thereupon sent by the 'madame' to the customer's address. Prices here are determined by the youth and innocence of the girls.

An Evidence of Improvement. Tenement house prostitution is the type which, if tolerated, is the most dangerous, by reason of its proximity to the young and innocent in our homes. It is, however, at the same time the best evidence both of the disintegration of highly commercialized vice and of efficient police activity. And if that activity continues permanently, the citizen has it within his own power to say whether the prostitute shall ply her trade in the house where his children live. Our laws and conditions must in the long run find the level of morality which we ourselves fix, and the scattered prostitute of the tenement house is an indication of one stage in the development of public morality. Honest, intelligent and persistent law enforcement will minimize this evil.

Just as it is impossible for flagrant vice to flourish without the knowledge of the police, so is it practically certain that apartment house superintendents and agents must know of disorderly conditions in their property, if they are generally known to their tenants. The effort, therefore, in connection with this problem must be to increase the responsibility of landlords for disorderly conditions.

The so-called Red Light Injunction Bill being Article 17-a of amended Chapter 45 of the Consolidated Laws was passed in 1914 and is a step in this direction, but so far the local authorities have failed to take advantage of it. It is printed in the Appendix p. 85.

Street Soliciting. Not many years since, it was impossible for a man to pass certain portions of Union Square, Third Avenue, Broadway, Harlem or certain West Side streets without being boldly solicited by prostitutes. Too many prostitutes still patrol well-known sections, but the number is less and the offensive boldness is generally lacking. Persistent repression by the police cannot keep women off the streets, but it has caused the street prostitute generally to walk on until she is approached before speaking to a stranger. In other words, the male customer is now more often the real solicitor. It is hoped that public sentiment will approve and demand thorough enforcement of a recent amendment of the law, making the male solicitor, as well as the female, a vagrant.

The Cabaret

Very often the cabaret is found taking the place of the old 'back-room' of saloons in the business of prostitution.

The recent new dance steps have been the occasion and cause of immorality and prostitution, coming, as they have, at a period of relaxed home discipline and assertive independence on the part of the girls. The tango and cabaret, accompanied by the sale of liquor, have replaced other forms of amusement for the shallow and those immorally inclined and have been a vehicle aiding the libertine.

The mixture of propriety with immorality, however, makes the problem usually one of vice rather than crime.

Commercial or radical advocates of sex 'education' have, through publication and the 'movies,' emptied the cess-pools of prostitution and 'white slavery' into the minds of the boys and girls of our city. Young girls have the notion that they are immune from deception. But they as suddenly fall prey to the libertine and procurer, because they are no less susceptible than before to attention and apparent devotion.

Monday evening.

Dear Bertha:-

So glad I met you last evening, was on the way to see you anyway when I met you. Now meet me this evening at 18st & 6th Ave. E. W. corner by the store front, will lay out plans and will tell you what to do and how to do everything as I know all there is in the game, you will not need worrying about, your small salary, you can wear better clothes and wont need to work at all, there is nothing in working anyway. You are good looking and I will, do what I say show you the ropes, sleep late in the morning, wear pretty clothes and no work that is your middle name Got me from now on, will see you sure and do not have any of those girls they dont know anything or they would not be working for the salaries they are working for, this is some town I will break you in the ropes all you do as I say and I will look after you and see that you are protected at all times. good bye Love I am until tonight.

N. R. Featherston.

*This young
lady
Keshall
will
see
you
for*

Facsimile of an original letter to a young woman. Nothing is left to the imagination.

SOCIETY FOR THE PREVENTION OF CRIME

Young women who would never enter the saloon back-room go freely to the cabaret where they are induced to drink and dance. Here, perhaps in a Broadway roof garden favorably known because of its sponsors, the male parasite comes and preys. Many girls are started in their downward path in these places, some of which are coarse and crude, while others glitter with extravagance. Too often arrests are impossible and the problems must be shouldered by parents, teachers and churches.

Wayward Girls. While there are no authentic data, it is nevertheless probable that there has been an increase in the number of 'occasional' prostitutes, *i. e.*, girls whose desire for pretty clothes and frivolity causes them to supplement their wages from time to time by prostitution. Such a temporary increase is the natural result of the economic freedom of most girls, placing before them as it does all the temptations from which they have heretofore been at least in part sheltered at home.

Within a comparatively short time, no less than twelve girls, who have left home, have been the subjects of the Society's special search, after the police had failed. In all but one case they were located and returned home or apprehended. In four cases they were placed on probation while two were committed to the House of the Good Shepherd. In the latter case we were able to arrest the man who was living with one of the girls, but the Grand Jury failed to indict for rape even though the girl was only 17, because of her actual consent. In another case we were able, under the pretense of taking the girl to a furnished room, to lead her into the Florence Crittenden Home where she was held without arrest until arrangements could be made for her return home to Troy, N. Y.

The seeds of loose 'sex education' already sown are but beginning to show the coming harvest of wayward children and distracted parents.

The Police Investigation—and White Slavery

During the past year the Society secured evidence indicating that certain police officers and their so-called 'stool-pigeons' were collecting 'protection' money from notorious and persistent old-time disorderly-house keepers. The practice was clearly unorganized, as indicated by the fact that the few individual officers involved dealt directly and privately. These conditions made it almost impossible to obtain legal evidence, except with the help of confessions by those involved.

Early in June, 1916, however, and apparently not for motives of philanthropic public interest, several 'madames' made complaints charging extortion, against the very 'stool-pigeons' involved in the Society's evidence, but withheld any mention of police officers.

The Society accepted this apparent opportunity of exposing the whole truth, and immediately secured the special assignment of James E. Smith, of the District Attorney's staff, to investigate and prosecute all violations found. The entire summer and fall have been devoted to that investigation. Witnesses were brought back from Boston and a large number of men and women have made statements to the District Attorney.

The facts uncovered have been of the vilest sort, and no good purpose would be served by here repeating the details. Every type of professional parasite has been brought to light.

Indictments for perjury, extortion or bribery have been found against six plain-clothes policemen. Higher officers are involved in suspicion and one captain retired when charges were imminent. All these cases are personal, however, and involve no attack on the department generally.

Some of the most notorious and extensive 'procurers' and 'zuschickers,' or brokers in women, have already been eliminated. The soulless depravity and commercialism of some of these vultures is almost beyond belief.

SOCIETY FOR THE PREVENTION OF CRIME

Upon their pleas of 'guilty,' to the charge of extortion, their confessions and their active assistance in the investigation, sentence was suspended on the 'stool-pigeons.'

Thus far the following promoters of prostitution have been found guilty of 'compulsory prostitution' (Section 2460 of the Penal Law) with the dispositions noted:

Samuel Kirsh ('Sam the Pedler')

State Prison 10 to 19½ years and \$5000 fine.

Joseph ('Yushe') Botwin, State Prison 5½ to 10½ years and \$1000 fine.

David Parrish ('Dubitz Siberia') State Prison 10 to 19½ years.

Max Axelrod

(Sentence Pending.)

Gustav Kugelman State Prison 2½ to 5½ years and \$1000 fine.

In one other case only has there been an acquittal, and a federal warrant for deportation of that defendant is pending.

Charges of lesser offenses have been brought in many other cases, some of which are still pending and some have resulted in convictions. The trail has been followed wherever it has led. Many heartbroken parents, sisters and wives have sought and been given assistance and relief in their numerous troubles.

The investigation is continuing, as it should, indefinitely, perhaps becoming a permanent bureau of the District Attorney's office to be specially equipped for investigating and prosecuting all complaints of a similar character.

Public interest was so stirred by the daily reports of the disclosures that a new organization of prominent women and men, called the 'Committee of Twelve,' was effected for the special purpose of assisting in ferreting out the promoters of prostitution.

The force of the campaign has made itself felt in the Women's Night Court where all prostitutes are tried. Beginning in June the number of cases has been constantly less than in the same month last year or the previous month this year. In October there were only 46 cases of tenement house prostitution, as against 116 in October, 1915, and 64 in September this year. This may be attributed in part to a

SOCIETY FOR THE PREVENTION OF CRIME

lessening of the amount of prostitution and in part to the hesitancy of dishonest policemen to arrest women without proper evidence.

Incidental to all this campaign in New York County, valuable evidence has been placed in the hands of the District Attorney of Kings County. As yet, however, no indictments have resulted.

White Slavery. 'White Slavery' refers to prostitutes upon the proceeds of whose shame males, or other females, live. The cases of innocent girls made subjects of physical compulsion and continuing restraint are few. Physical violence, however, is no more potent to a fallen woman than threats of exposure to the scorn of relatives and friends.

The average prostitute 'works' far beyond her choice to furnish clothes and money to the parasite and procurers whose support she is. It is to these that more attention is being given.

On July 7, 1915, the Society's female agent, posing as a 'madame' went with a police officer to the Bronx and obtained a girl who was delivered for prostitution for \$20. The money was there paid in cash and the girl left with the officer and 'madame.' In the meantime officers entered the apartment, found the marked bill in the 'man's' pocket and charged him with violation of Sec. 2460 on the Penal Law. He was found guilty and sentenced to Sing Sing Prison for from 6 years 6 months to 12 years 4 months and to pay a fine of \$2,500.00. The girl testified against him and she was thereafter promptly released in the Women's Night Court and sent to her parents.

In another case 'Mike Miller,' having a wife and two children in Pittsburgh, went to Poland and brought here an 18-year old girl. Learning that he wanted to place her in a disorderly house, we hired a furnished apartment on West 108th Street. Mike came by appointment with the girl, bringing her suitcase containing only a kimona and a

few other appropriate articles. He received \$15.00 in marked currency which was found in his pocket when he was arrested on the street. The girl was charged only with associating with immoral persons and placed in a home pending Mike's trial. Mike was indicted by both the County and Federal Grand Juries. He was tried, found guilty and sentenced on November 29, 1915, to Sing Sing Prison for not less than 7 years nor more than 19 years 6 months.

Gambling

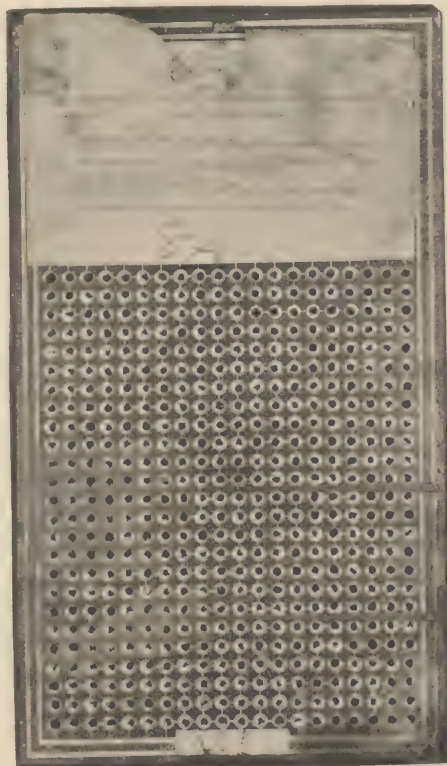
Public gambling resorts and pool-rooms are at a low ebb. Those places which exist permit entry only to well-known and friendly patrons and are usually under the guise of social or athletic clubs for members only. On this account the police are often unable to secure sufficient evidence to convict. The obtaining of evidence against these resorts requires a heavy expenditure, frequently unjustified. The police have, nevertheless, on our complaint, repeatedly driven out the offenders and broken up the games. One crowd of young stuss players, in particular, has to our knowledge been driven from eight or ten different addresses, and our information has led to raids upon many other places.

Bets on the horse races are generally made with 'hand-book' men, who hang about the corner saloons or cigar stores. The customer must be well known. Their prosecution, heretofore beset with all the difficulties raised by the decision in the Shane case, has been greatly facilitated by the rulings in *People v. Solomon*, mentioned elsewhere. Even handbooks are therefore conducted secretly.

Mercantile lotteries. There has been a rapid growth of gambling methods as a stimulant to business patronage. First adopted by those whose business suffers from legitimate competition, the successful competitor follows suit to

SOCIETY FOR THE PREVENTION OF CRIME

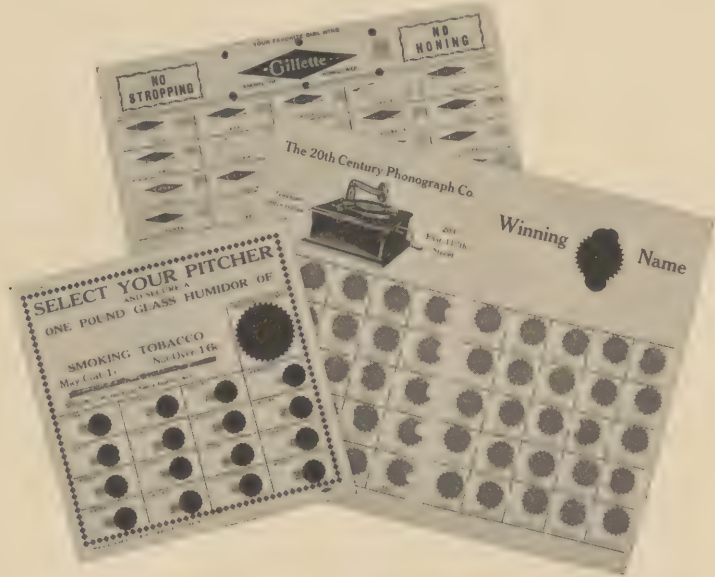
hold his patronage. These methods are public and promiscuous, and occur especially in three kinds of business; small candy stores, cigar stores and moving picture or vaudeville theatres.



*Punch board, common in
candy and cigar stores*

Penny Candy Stores. In penny candy stores we first noticed 'punch-boards' and 'seal-cards' bearing chance numbers, some of which won prizes. Then we found peanut and gum slot-machines containing "lucky" numbers or

SOCIETY FOR THE PREVENTION OF CRIME



Seal cards found in candy stores and carried by hall-boys and elevator men

articles. Children innocently became excited over the gamble to get a box of candy for a few pennies which of course they spend over and over unsuccessfully. The gambling fever, thus instilled early in life, may next be fed by 'crap-shooting' and other games, till the boy becomes a corner loafer, unwilling to earn his living.

The immediate violator is of course the little store proprietor, who has perhaps been deceived by a salesman and who is only meeting the similar methods of competitors. In the Society's canvass of the city, over 4,000 such violations have already been found. Believing that arrests of all these small offenders would cause them undue hardship, every storekeeper has been warned by letter regarding the law and liability to arrest. Wherever possible the manufacturer has also been located and warned. The result has



Slot devices—petty gambling paraphernalia

been the voluntary discontinuance of the schemes in practically all cases, without scandal or hardship. Through this number of warnings, probably no less than 8,000 places have been affected and with it has finally come police activity along similar lines.

Only where the offender has been a manufacturer, dealer or persistent violator have we resorted to arrest. Twelve such convictions were obtained this year, for devising or operating such lotteries (§§1372 and 1376 of the Penal Law), or keeping gambling devices (§974 of the Penal Law), involving the distribution of jars of tobacco, toilet sets, Gillette razors, Chaplin dolls, phonographs, candy and gum and also the operation of what are called 'penny slot machines.' Fines are usually a sufficient deterrent in such cases. One manufacturer, however, who marketed a 'crook-

ed' seal card in which the winning number was known in advance, was, on his plea of 'guilty,' sentenced to serve 30 days in the City Prison and to pay a fine of \$100. On the other hand a grand jury *failed to indict the manufacturer and owner* of a series of slot machines, the mere possession of which caused the conviction of several little store-keepers. Such a result gives basis for the suspicion among poor people that 'justice' is partial.

In this connection it will be interesting to note what, if any, influence the wholesale 'charitable' lotteries tolerated at the war bazaars will have on the amount of this type of violation.

In the cigar stores these same boards and cards are used, but in addition are several dice games, the chances of which are altogether against the patron. Dice and dice boxes have been kept in plain sight for the purpose, and what the 'boss' loses is paid in trade. Arrests have been made by the Society at a number of well-known places.

What occurs at the theatres is often called 'Country Store.' In substance it is the distribution by chance of a certain number of prizes among its patrons, and the houses are packed on these nights.

All these gambling methods are more or less private and personal, until they become prevalent and extensive. At first they are sought to be justified by the fact that churches and philanthropic fairs conduct raffles and chance enterprises. The time must come, perhaps soon, when all these subtle methods must be suppressed, for they make for lack of respect for all law and law enforcement.

Indecency

Many complaints were received from time to time of obscene and immoral literature, pictures, plays and performances. In proceeding against them, care must always be taken not to attract by publicity the morbidly curious or those sensitive to suggestion and on the other hand not

SOCIETY FOR THE PREVENTION OF CRIME

to carelessly injure those who sincerely believe they are not transgressing the law. In most cases the Society has endeavored first by letter to prevent the distribution of such literature or the performance of such plays, and where the offender is sincere and not desirous of commercializing obscenity, literature, pictures and plays have been withdrawn or properly modified. Where vile pictures and advertising matter have been wilfully or carelessly distributed, among public school children, in candy stores or on the street, the offenders have been at once prosecuted.

Ever since the popular advent of motion pictures the Society has taken a prominent part in resisting their tendencies toward obscenity and now few producers or exhibitors will offer obscene pictures. Sex, vice and criminal problems are frequently commercialized, however, and while the resulting pictures may not be indecent as defined by the criminal courts, they are dangerous and harmful to adolescents as well as to a large class of adults easily amenable to the power of suggestion.

Because of the tremendous power of motion pictures for good as well as for evil, and because of the conviction that an ounce of prevention is worth a pound of cure, this Society has favored official or governmental supervision of motion pictures before public exhibition. Our efforts in this connection are described later.

Especially in these matters where individual standards vary so greatly, we have acted with caution, demanding, not that commercial interests shall accept the moral code of any one individual, but that on the other hand they shall not take undue advantage of the weak and lower the ideals of our great populace.

Pictures and Cards. No more pernicious influence upon boys and girls can be found than vile photographs and drawings. We have made a number of arrests, all resulting in convictions. One persistent offender received a sentence

SOCIETY FOR THE PREVENTION OF CRIME

of one year, while a woman, who ran a little penny store for children on West Broadway, received three months as a first offender for selling photographs of the most revolting character.

Lascivious printed matter is frequently distributed upon 'throwaways' or other advertising cards. In one case a gonorrhea treatment was advertised among boys, with cards bearing filthy poetry. We obtained evidence upon which the clerk of the drug store in Harlem was convicted and 20,000 cards destroyed. Two printers, one in Manhattan and one in Brooklyn, were also convicted of similar charges.

In other cases such matter has been suppressed upon the request and warning of the Society. In others we have referred the facts to the New York Society for the Suppression of Vice which is specially qualified in these matters and which acted summarily.

Theatres. Much that is immoral and salacious has found its way into recent plays. In some of the better class of theatres all phases of sexual immorality have been portrayed. Some sex-plays have been promoted under the guise of 'education,' over the names of persons of questionable judgment but who court notoriety. Many other plays of similar character assume the same disguise without the names. And some burlesque theatres are frank enough to feature the vulgarity without the pretense of 'education.' *All alike make the sex appeal.*

Prosecution is hazardous, however, because newspapers usually give wide publicity to any play prosecuted, in a manner which increases the box office receipts. The manager may welcome prosecution, therefore, for the courts seldom do worse than impose a fine if, after many delays, the defendant is found guilty.

Several plays, however, have been withdrawn, or offensive parts eliminated, after complaint by the Society. In

SOCIETY FOR THE PREVENTION OF CRIME

one case a summons was served upon the principal actor, but the play was discontinued, whereupon the action was dropped. Some immoral dances were also either suppressed or greatly modified in several theatres upon the Society's complaint.

The police authorities have requested our opinion regarding certain prominent performances and we have welcomed such opportunities to co-operate with and support the efforts of the department.

Indecent Articles. The sale of articles for the prevention of conception is widespread. A large and reputable chain of drug stores in this city does an extensive business in such articles. Until the moral influence of this class of trade can be determined, we have thought best to make no general campaign.

We have made cases, however, where such articles were sold for indecent purposes.

Motion Pictures

'The movies' exert a powerful influence upon the community. There is no child but is eager to attend the 'nicklet' as often as the nickel can be had. Adults are but older children and, especially in the poorer neighborhoods, yield to the attraction. It is all important therefore that this great influence shall be good.

The evil of too frequent attendance, breeding indolence, and its consequent vices, is due perhaps to the novelty and accessibility of the 'fad.' If so, it may largely right itself as soon as the novelty is passed.

On the other hand, the active influence of improper pictures cannot be too quickly or firmly resisted.

Often the lurid posters outside the theatres, as shown in the picture, are of worse character than the films themselves. Public confidence in the purposes of the film producers

SOCIETY FOR THE PREVENTION OF CRIME

would be enhanced if they would voluntarily abate this condition by refusing to furnish posters at all.

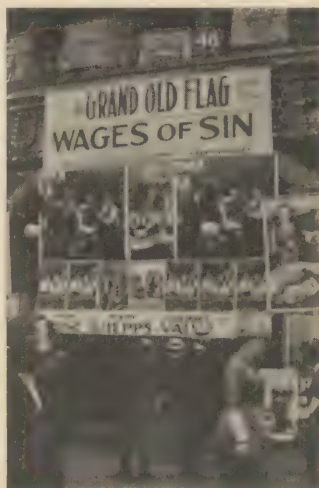


One of these posters bore the following:

"You shall not enter although he is the cause of my own dear husband's death. The monster is now in my house and I will have no harm come to him. You shall not wreak vengeance upon him, although the spirits of your dead, dear ones cry upon you to do so!" No thought had this defender of her home's hospitality that he, whom she would protect, lay cold and stark on the other side of the door, dead from the fear which had clutched his heart with icy grasp.

There is a tendency among some producers to exploit for financial gain almost any notorious character whose name has been in the newspaper headlines. The accompanying snapshots illustrate this as well as the small boys whose young minds are thus easily led to accept the example of these apparent heroes.

Much in motion pictures is dangerous and harmful, even



The lure to 'movie' patrons

if not legally obscene and indecent. It is not safe to leave the choice of pictures wholly to those whose interests are commercial. The Society has from the start, therefore, sought to obtain some official regulation of the type of pictures which are to be shown.

At first the fight for official 'censorship' was local. In the New York City Board of Aldermen a bitter resistance was made in 1912 by the commercial film interests to the passage of an ordinance providing for "censorship" which ordinance we supported, but it finally passed the Board by a vote of 70 to 1. This provided for an official board of "censors" to be appointed by the Board of Education. Mayor Gaynor, however, vetoed it on the ground that it "violated the freedom of the press."

That Mayor Gaynor was wrong appears in the facts that the highest court in Illinois has since declared official censorship to be legal and the United States Courts have twice affirmed the legality of the Ohio State Censorship law which

SOCIETY FOR THE PREVENTION OF CRIME

was contested by the moving picture manufacturers. (See *Mutual Film Co. v. Commissioners*, 215 Fed. Rep. 138.)

Efficient and responsible supervision is ultimately necessary, not locally alone, but generally. Hence the Society had a state-wide bill drafted and introduced in the New York legislature.

This latter bill was revised to provide for a Commission to be appointed by the President of the United States which Commission might license, for interstate commerce, films deemed not to impair health or morals or tend to incite to crime.

It failed to reach a vote because of the emergent business which took precedence.

The bill, known as the Smith-Hughes Bill, was re-introduced in the present Congress, and the House Committee on Education held a week of hearings upon it, the time being equally divided between those for and those against the bill. The film manufacturers sent their most influential representatives to appear against any form whatever of effective supervision. This Society was represented by its Vice-President and its Superintendent at the debate. At the close of the hearings, at the request of the Chairman, the form and practical provisions of the bill were entirely revised by the Society's Superintendent in conference with a representative of the Paramount Pictures Corporation and others who had decided to support the movement for a federal commission, and substantial agreement was reached upon a form later introduced, favorably reported by the Committee on Education and now pending before Congress.

In the State of New York two bills were before the legislature last year. The Ahern Bill was supported by us until it failed of passage; whereupon our full attention was directed to the passage of the Cristman-Wheeler bill. This was finally passed but Governor Whitman vetoed it.

It is needless to state that the commercial interests and their allies have opposed every step favorable to these bills.

Outside the immediate film concerns, their principal ally is the self-styled 'National Board of Censorship.' This 'Board' has no official authority or existence and its activities are tolerated and largely supported by the manufacturers whom it 'censors.'

The public may quite naturally have been misled regarding this 'Board' and the character of its activities. Since it was organized it has undoubtedly had a certain amount of influence upon the producers, but the amount of that influence has been in proportion to the producers' fear of imminent *official* regulation.

Much literature has been printed and distributed by the Society in support of these bills. A summary of the arguments for and against the federal bill may be had on application to the Society.

Leading manufacturers and distributors have stated that they have been obliged to lower their standards of pictures because of the competition of certain vampire and sex pictures. The question whether the public will tolerate immoral films presented under the pretense of 'education' is awaiting an answer.

Sabbath Laws

Theatres. Cases of Sunday Law violation were made against William Hammerstein, George Blumenthal, James Harrigan and Jean Bedini for performances given by them at the Manhattan Opera House. These were made test cases. Demurrers to our complaints were at first sustained, but on appeal, the Appellate Division set aside the judgment and overruled the demurrers, clearly affirming the Society's contention. When the cases were then called for trial, their merit was admitted when a plea of guilty was entered for every defendant except William Hammerstein, then deceased. Sentence was suspended in all cases.

Thereafter, those persons whose cases had been adjourned

SOCIETY FOR THE PREVENTION OF CRIME

pending the outcome of the Hammerstein appeal, pleaded guilty and sentence was suspended.

Similar cases were made at the Plaza and Alhambra Theatres. Still other arrests were made and after much effort the defendants were fined in the Magistrate's Court.

Motordrome. Largely as a test case and in co-operation with the Sunday Observance Association, the manager of the Brighton Beach Motordrome was arrested on this Society's evidence for violation of Section 2145 of the Penal Law (Public sports on Sunday). The case was finally tried in Special Sessions and the defendant was found guilty and fined \$10.

Baseball. Assistance was rendered by the Society in securing convictions and fines against five defendants for violation of Section 2140 of the Penal Law at Wallace's Ridgewood Park, Queens County, where Sunday baseball was played professionally and an admission fee charged.

Legislation

Pending legislation has been followed and the Society has been represented in person by its Superintendent before various committees of the State Senate and Assembly. Numerous bills affecting habit-forming drugs, capital punishment, prostitution, motion picture censorship, race-track gambling, Sunday amusements, Day of Rest laws and fortune telling have received our active support or opposition.

The Society drafted a bill providing for a State Board of Censors for moving picture films and this bill was later revised and has been introduced as a federal bill at Washington. The Society assisted in revising this bill this year after extended hearings at Washington.

As stated elsewhere, the Boylan Anti-Drug Bill is law to-day largely because of the Society's work. We have since drafted needed amendments to this as well as the race-track gambling law.

Another bill of importance which we supported and which became law was the Herrick 'Red Light Injunction' Bill. (See Appendix. p. 85.)

The Superintendent also appeared before the New Jersey legislature in behalf of legislation regulating the use of habit-forming drugs.

In addition to many special letters, Bulletins Nos. 13-37 inclusive have been prepared and distributed as occasion required. These have been devoted largely to appeals for or against legislation at Albany and Washington and ordinances of our local Board of Aldermen.

The Superintendent has made addresses from time to time before church and civic organizations in New York and elsewhere.

The Courts

We are glad to note that the Courts generally seem more readily to respond to public opinion in the enforcement of laws directed against gambling, prostitution, the use of drugs and allied vices.

Despite all efforts, however, there has occasionally been gross comparative injustice in the punishment of offenders. The persistent and hardened keeper of houses of prostitution, backed by means and the influence of shrewd representatives, can still occasionally get away with a fine, while the first offender against the tenement house law is frequently compelled to serve from three to six months in the workhouse. Not long ago a 'madame' was convicted of running a disorderly house on West 54th Street. She also owned the premises, from which many convictions had been had in the past, but the woman herself had never served a day's sentence. This time, but only after various civic organizations had become interested, she received a sentence of thirty days and a fine. Her temerity, however, found expression in an appeal to the Courts to remove the

officer stationed in her premises, and charges of oppression against the Police Inspector.

Grand Jury. A proper perspective also discloses weaknesses in the administration of the Grand Jury system in New York County. For instance, a recent District Attorney's report showed a deplorable situation in the handling of excise violations. The offense is a misdemeanor triable in Special Sessions and 732 cases were disposed of there. In addition, however, 131 cases succeeded in being transferred to the Grand Jury. Of these 131 cases, *118 were dismissed by the Grand Jury without indictment, one was discharged, and the other 12 pleaded guilty.* Bear in mind that in Special Sessions, where these cases would have been tried, 732 cases were disposed of with only 184 acquittals, and the reason for wishing transfer will be apparent. Evidently the body of citizens from which Grand Juries are drawn is not in sympathy with the enforcement of the law, or else they do not realize the apparent discrimination in favor of the influential offender who succeeds in getting transferred. No matter who or what is at fault this absurd result does not make for respect of law and should be remedied.

Similar inconsistencies occur in other matters. Owners and operators of some gambling devices have basis for hope that the Grand Jury will not indict them, even after little storekeepers, the prey of these owners, have suffered conviction and fine in Special Sessions for merely harboring these same devices.

Such results, however innocent of purpose, breed dissatisfaction and suspicion among the unfortunate poor. It is not strange, therefore, that there is a tendency to avoid the Grand Jury, by making misdemeanors of some offenses which are now felonies.

The Police Department

The general improvement in conditions which concern

prostitution, gambling, habit-forming drugs and associated vices may be attributed to a greater efficiency and responsiveness on the part of the police department. There are many evidences of initiative and co-operation. One flagrant exception, however, is the failure to enforce the excise law.

The Boiler Squad Investigation

Among the complaints which came to the Society was one by an applicant for a license as a stationary engineer.

The law requires that such application must be made to the police department, which refers it to a so-called "boiler squad," a branch of the police department, which investigates and examines the applicant as to his qualifications. Various grades of licenses are issued, and this squad had jurisdiction not only over the granting of licenses to stationary engineers, but also over the examination of boilers throughout the various buildings in New York, which examinations are required to be made from time to time throughout the year.

A retired locomotive engineer of over 30 years' experience was offered a position as engineer in a large factory. He made the usual application and was referred to one of the examiners in the police department, but for various reasons, was refused such a license, for 'incompetency.' Finally, in desperation, he came to the Society. After careful investigation, we concluded that graft was behind his inability to obtain his license. Counsel for the Society, in co-operation with the Police Commissioner, handed the applicant \$75, marked for identification and instructed the applicant to again apply for a license and to state his willingness to pay therefor. The scheme worked. Upon a new set of examination papers he was duly passed. He paid the money to men in the boiler squad and received his license. This examination was substantially like the former one upon which he had been arbitrarily and illegally refused a license.

SOCIETY FOR THE PREVENTION OF CRIME

The man who had received the marked money was shadowed to his home and apprehended, as were certain others involved. At Police Headquarters part of the marked money was found upon some of the officers. As a result of this case, two of them were duly tried before the Police Commissioner and dismissed from the department; others resigned, and the then members of the boiler squad were transferred, and a new organization was perfected.

Reclamation

It is difficult to discuss one's effort to restore hope and ambition in another. Such work, with the intimate understanding and confidence it requires, cannot be tabulated. Suffice it then to say that this Society has found opportunities of this kind, in which the results have more than justified the effort.

Hard discipline in correctional and reformatory institutions may encourage regular habits—at least inside the walls—but it seldom sets a heart right. What a person who has been in trouble needs, and wants, is a friend—some one who understands him; not one who talks, but one who feels; who will be patient with his weaknesses and give him time to grow stronger.

This Society should have within its influence small industries or businesses where it could immediately furnish at least temporary employment. Every man and woman has the right to a chance to earn a living. It has often happened, however, that even those in whose honesty we have had reason for confidence could not be placed. Perhaps there are those who will read this report and offer co-operation in this direction.

Fairness in dealing even with offenders is a pre-requisite to public respect for law.

An Acknowledgment and an Appeal

In closing this report, recognition is made of the generos-

SOCIETY FOR THE PREVENTION OF CRIME

ity of the late Charles B. Beck, whose legacy has been the means of sustaining the Society and has enabled it to do a modest work in that quieter way which is conducive to the best results. It has thus been saved the necessity of continually bringing its activities before the public to secure means of subsistence.

But there is need of an extension of its operations. The search for sources and causes of wrong-doing grows increasingly difficult and costly. It is desired to do a greater relief work, especially in aiding unfortunates to leave criminal and vicious ways of living.

Our annual income is not sufficient to undertake these fields. For such work the experience of our officers and some of our Directors has eminently fitted them.

Appeal is therefore made to those who are willing to help this reconstructive work and sustain a veteran society which has so long been one of the great forces for good in our City.

Respectfully submitted,

HOWARD CLARK BARBER, *Superintendent.*

[Following are a few illustrations of the breadth of the Society's interest and effort.]

Typical Cases of the Society's Work

1. Upon information of our agents, we advised the Police Department in advance of a burglary. Two officers captured all three burglars after watching them break and enter and come out with a quantity of clothing.

2. Complaint was received through a teacher regarding a gang of young burglars who also rape young girls. Our agents were able to secure evidence as a result of which their 'hang-out' was made respectable, and five of the fellows, including the 'Fagin' were held on burglary charges.

3. An anonymous letter advised us that a woman was dying of starvation at an address where she was being detained. The address was incorrect, but we located her, fed her in the absence of 'the man' until she had strength to walk, and in a blizzard took her and her baggage out. After three weeks of rest and care we clothed her and sent her to her home in Canada, where she was welcomed and no one knew.

4. A 16-year-old son of respectable parents was encouraged to leave home by a married woman, separated from her husband. Officers from the Police Department sought by threats for several months to compel the return of the boy to his heart-broken parents, but never even located him. Our agents were able thereafter to find the son, and on a warrant, to have him arrested. The parents were notified and after several days in jail the boy was glad to return to a loving home on probation.

5. An old mother, 75 years of age and sick with cancer, had prayed for 12 long years for the then young daughter who was cruelly lured from her home, betrayed and put 'on the street,' and whose whereabouts the mother had never been able to learn. The girl, now a slave to 100 heroin tablets a day, was living with a drug pedler in a 'model' tenement building. From a slender thread we learned the whole truth, had the place raided, two men

SOCIETY FOR THE PREVENTION OF CRIME

sent to the penitentiary, and the girl to a hospital, meantime communicating with the mother who suffered to get here. A pathetic but happy meeting followed, the past was buried and with the cure of the drug habit and the gain of 33 pounds, we restored the daughter to her mother's home in another state.

6. A young Italian wife, without means, but of excellent character, sought our aid regarding a single woman who was in love with her husband and who threatened to injure him if he ceased his improper relations with her. We finally succeeded, without appearing in the case, in getting the girl to apply to the Italian Consul for passage back to Italy. On our recommendation this was granted and we were able to see her sail leaving the married man here with his wife.

7. We secured evidence that drug was to be mailed to an inmate of Auburn Prison. The warden discovered the drug as directed by us and we advised the Federal agents here who sent it. The sender was arrested, but through lack of effort by the authorities no indictment was found.

8. Another girl had taken the hospital treatment for drug-habit, but feared she lacked will to keep away from it. Through friendly interests we were able to have her placed among proper surroundings for two months, after which she was returned to her home in Philadelphia and given work, where no one knew her failings and where reports indicate she is living a new and worthy life.

9. A young man had been given the maximum sentence for possessing cocaine, because of certain information furnished the Court at the time of sentence. We discovered that the more important of this information was absolutely untrue, and wrote the Court. The \$500 fine was finally remitted, the time sentence having already been served. Worthy sisters welcomed him and set about to restore him to an honorable life in the country.

10. A paroled prisoner, who had violated his parole,

SOCIETY FOR THE PREVENTION OF CRIME

came under our notice. Inquiry of the parole officer revealed the fact that he had long eluded the search. We were able to give accurate information as to hour and place, at which the officer got the man and returned him to work out his parole. As a matter of fact he was stealing automobiles at the time.

11. A druggist in Harlem advertised a gonorrhoea cure accompanied by cards upon which was printed filthy poetry. His clerk was arrested for distributing them among evening school boys and pleaded guilty in Special Sessions. Being only the clerk, he was fined \$50 on January 7, 1914.

12. On January 6, 1914, we arrested, at a saloon in the lower part of the City, a man who sold indecent pictures. He was sentenced to three months in the penitentiary. Our records show a similar previous conviction. On June 5, 1914, the same person was convicted a third time upon evidence procured by our agents, and sentenced to one year. We complained of the habitues of this saloon and the police drove out the worst.

13. On July 14, 1914, a woman pleaded guilty to selling indecent postals, evidence being procured by our agents. These were the worst possible photographs imaginable, and in spite of the probation officer's efforts to prevent it, the defendant was given a three months' sentence.

14. A prominent tobacco company was distributing an indecent picture with tobacco. At our request this picture was withdrawn.

15. A commercial company had a picture considered indecent prominently distributed and advertised throughout the City and upon our complaint, without increasing the distribution by notoriety, it was withdrawn.

16. Several convicts with whom we have come in contact through our work, have first been assisted, employment procured, and are and have been making good.

17. A family consisting of mother, father and a number

SOCIETY FOR THE PREVENTION OF CRIME

of young children, was assisted financially until after many years the children were able to provide for themselves; the father being a drunkard. In this way crime was prevented by keeping the children in the home.

18. A typical case is the one of a young woman, living in this city, who answered an advertisement in one of our local newspapers, which offered a position as private secretary. Answers were required to be sent to the newspaper. It was answered by the young woman in question, who was told by the advertiser that he desired to engage her as secretary in his business which required him to travel from place to place, from city to city, and her presence would be required to attend to various details. He requested the young lady to accompany him to dinner, which she did, and then informed her, among other things, that in order to save expense, it would be necessary for his secretary to occupy a large room with him, and that he wanted the employment to begin immediately.

This matter was thoroughly investigated and followed up to a successful conclusion.

APPENDIX

Habit-forming Drugs

AN ACT in relation to the Public Health
Constituting chapter forty-five of the Consolidated Laws

ARTICLE 11-a

HABIT-FORMING DRUGS

- Section 245. Sale prohibited; exception.
246. Prescriptions; certificates.
247. Order blanks; filing.
248. Physicians, et cetera, to keep records.
249. Hypodermic syringe; sale of; record; penalty.
249-a. Commitment; procedure; discharge.
249-b. Revocation of license.
249-c. Revocation of license after conviction.
249-d. Penalties.

Section 245. Sale prohibited; exception. No pharmacist, druggist or other person shall sell, have or offer for sale or give away any chloral, opium or any of its salts, alkaloids or derivatives or any compound or preparation of any of them except upon the written prescription of a duly licensed physician, veterinarian or dentist, provided that the provisions of this article shall not apply to the sale of domestic and proprietary remedies, nor to physicians' prescriptions, compounded solely for the person named in the original prescription, actually sold in good faith as medicines and not for the purpose of evading the provisions of this article and provided further that such remedies and preparations do not contain more than two grains of opium, or one-fourth grain of morphine or one-eighth grain of heroin or one grain of codeine, or ten grains

of chloral or their salts in one fluid ounce or if a solid preparation, in one avoirdupois ounce, nor to plasters, liniments and ointments for external use only.

Sec. 246. Prescriptions; certificates. It shall be unlawful for any person to sell at retail or give away any of the drugs, their salts, derivatives or preparations mentioned in section two hundred and forty-five of this chapter except as herein provided without first receiving a written prescription signed by a duly licensed physician, veterinarian or dentist. The prescription must contain substantially the following: the name in full of the physician, veterinarian or dentist issuing such prescription, his office address, and the name, age and address of the person to whom and date on which such prescription is issued. It shall be unlawful for any duly licensed physician, veterinarian or dentist to issue any such prescription containing any of the drugs, their salts, derivatives or preparations mentioned in section two hundred and forty-five of this chapter, for any duly licensed physician to dispense, give or deliver any of the said drugs, their salts, derivatives or preparations, except after a physical examination of any person for the treatment of disease, injury or deformity. It shall be unlawful for any person to sell at retail any of the drugs or preparations of any of those mentioned in section two hundred and forty-five of this article without first verifying the authority of any prescription containing more than four grains of morphine, thirty grains of opium, two grains of heroin, six grains of codeine or four drams of chloral. Such verification can be made by telephone or otherwise. Such prescriptions so received shall be filled out at the time of receiving the same for the full quantity prescribed and no prescription so received shall be filled out more than ten days after the date which said prescription be dated. Such prescription, from which no copy shall be taken, shall be retained by the person who dispenses the same and shall be filled but once. A separate file of all such prescriptions

SOCIETY FOR THE PREVENTION OF CRIME

shall be kept by the pharmacist or druggist filling the same, but such prescriptions may be numbered consecutively with other prescriptions received. Unless so separately filed a record must be kept showing:

1. The file number given to each prescription filled;
2. The name of the physician or surgeon signing the same; and
3. The name of the person for whom such prescription is filled.

Any person who sells at retail, furnishes or dispenses any of the drugs mentioned in section two hundred and forty-five of this chapter upon a written prescription by a duly registered physician or veterinarian or dentist shall at the time of dispensing the same, place upon the package a label or deliver therewith a certificate stating the name and address of the person selling or furnishing the same, the name and address of the physician, veterinarian or dentist upon whose prescription such sale is made, the date of sale, and the name of the person to whom such sale is made. Any person, other than a manufacturer of any of the drugs mentioned in section two hundred and forty-five or a wholesale dealer in drugs or a licensed pharmacist, licensed druggist, duly registered practicing physician, licensed veterinarian or a licensed dentist, who shall possess any of the drugs mentioned in section two hundred and forty-five or their salts, derivatives or preparations, shall be guilty of a misdemeanor, unless said possession is authorized by the certificate described in this section. Nothing herein contained shall be construed to prohibit the sale of any of such drugs by any manufacturing pharmacists or chemists or wholesale or retail pharmacists or druggists, to other manufacturing pharmacists or chemists, or wholesale or retail pharmacists, or druggists, or to hospitals, colleges, scientific or public institutions, except that such sale shall be made in the manner provided in the next succeeding section.

SOCIETY FOR THE PREVENTION OF CRIME

Sec. 247. Order blanks; filing. The state commissioner of health shall prepare and furnish to all boards of health or officers official order blanks, serially numbered in duplicate, bound in book form, with carbon or transfer paper between the duplicate pages. The said official order shall be furnished by the local health board or officer to any local, duly licensed physician, dentist, pharmacist, druggist or veterinarian, upon which must be written all orders for the purchase of any of the drugs enumerated in section two hundred and forty-five of this chapter for the use of such physician, dentist, pharmacist, druggist or veterinarian. It shall be unlawful for any person to sell, furnish or dispose to any physician, pharmacist, druggist, veterinarian or dentist any of the drugs enumerated in section two hundred and forty-five of this chapter without first receiving from such physician, pharmacist, druggist, veterinarian or dentist an official order blank as provided in this section, which official order shall be retained by the person or corporation who sells, furnishes or dispenses any of the drugs enumerated in section two hundred and forty-five of this chapter, and such official order shall be kept in a separate file or book and an entry made or caused to be made on the order at the time of making such sale, stating the date of sale, the name and address of the purchaser and the name of the person making such sale.

In lieu of preparing and furnishing order blanks under this section, however, the state commissioner of health may approve order blanks provided for in any act of congress regulating the purchase by and sale of such drugs to physicians, pharmacists, druggists, veterinarians and dentists, and may provide by rule or regulation that the use of such approved order blanks in the manner and for the purposes set forth in this section shall be a sufficient compliance with the provisions hereof. Such approval, rule or regulation may be suspended or revoked by the commissioner at any time, thereby restoring all the requirements of this section.

SOCIETY FOR THE PREVENTION OF CRIME

Sec. 248. Physicians, et cetera, to keep records. All persons authorized by law to sell, administer, prescribe, dispense or dispose of any of the drugs enumerated in section two hundred and forty-five of this chapter, shall forthwith keep on record the name and address of each person to whom such drug is dispensed, given or in any manner delivered and the quantity so dispensed, given or delivered, and shall likewise keep a record of any disposition made of any quantity of any such drug referred to, whether such disposition be in the preparation of compounds or otherwise, and if used in the preparation of compounds the quantity so used in each compound and where placed. Such record shall be preserved for two years and shall always be open for inspection by the proper authorities. Any violation of this section is hereby declared to be a misdemeanor.

Sec. 249. Hypodermic syringe; sale of; record; penalty. It is unlawful for any person to sell at retail or to furnish to any person other than a duly licensed physician, dentist, or veterinarian, an instrument commonly known as a hypodermic syringe or an instrument commonly known as a hypodermic needle, without the written order of a duly licensed physician, dentist, or veterinarian. Every person who disposes of or sells at retail, or furnishes or gives away to any person, either of the above instruments, upon the written order of a duly licensed physician, dentist, or veterinarian, shall, before delivering the same, enter in a book kept for that purpose the date of the sale, the name and address of the purchaser, and a description of the instrument sold, disposed of, furnished or given away. Any person or persons who sell, dispose of or give away an instrument commonly known as a hypodermic syringe, or an instrument commonly known as a hypodermic needle, except in the manner prescribed in this section, shall be guilty of a misdemeanor.

Sec. 249-a. Commitment of habitual drug users; procedure; discharge. The constant use by any person of any

SOCIETY FOR THE PREVENTION OF CRIME

habit-forming drug, except under the direction and consent of a duly licensed physician, is hereby declared to be dangerous to the public health. Whenever a complaint shall be made to any magistrate that any person is addicted to the use of any habit-forming drug, without the consent or direction of a duly licensed physician, such magistrate, after due notice and hearing, is satisfied that the complaint is founded and that the person is addicted to the use of a habit-forming drug, shall commit such person to a state, county or city hospital or institutions licensed under the state lunacy commission, or any correctional or charitable institution maintained by the state or any municipality thereof, for the treatment of disease or inebriety. Any court having jurisdiction of a defendant in a criminal proceeding, if it appears that a defendant is a habitual drug user, may commit such user for treatment as herein provided at any stage of such proceeding against such defendant, and may stay proceedings, withhold conviction or suspend sentence, pending the period of such commitment. Whenever the chief medical officer of such institution shall certify to any magistrate that any person so committed has been sufficiently treated or give any other reason which is deemed adequate and sufficient, he may discharge the person so committed. Every person committed under the provisions of this section shall observe all the rules and regulations of the institution or hospital. Any such person who wilfully violates the rules and regulations of the institution or repeatedly conducts himself in a disorderly manner may be taken before a magistrate by the order of the chief medical officer of the institution. The chief medical officer may enter a complaint against such person for disorderly conduct, and the magistrate, after a hearing and upon due evidence of such disorderly conduct, may commit such person for a period of not to exceed six months to any institution to which persons convicted of disorderly conduct or vagrancy may be committed, and such institution shall

keep such persons separate and apart from the other inmates, provided that nothing in this section shall be construed to prohibit any person committed to any institution under its provisions from appealing to any court having jurisdiction for a review of the evidence in which this commitment was made.

Sec. 249-b. Revocation of licenses. Any license heretofore issued to any physician, dentist, veterinarian, pharmacist or registered nurse may be revoked by the proper officers or boards having power to issue licenses to any of the foregoing upon proof that the licensee is addicted to the use of any habit-forming drug or drugs after giving such licensee reasonable notice and opportunity to be heard. Whenever it shall appear after one year from date of revocation of such license that such licensee has fully recovered and is no longer an addict to any of the drugs herein prohibited, such board may grant a rehearing and in its discretion reissue the license of such licensee.

Sec. 249-c. Revocation of license after conviction. Whenever any physician, dentist, veterinarian, pharmacist or registered nurse is convicted in a court having jurisdiction of any of the violations of this article, any officer or board having power to issue licenses to any such physician, dentist, veterinarian, pharmacist, or registered nurse may, after giving such licensee reasonable notice and opportunity to be heard, revoke the same.

Sec. 249-d. Penalties. Any violation of any of the provisions of this article shall be deemed a misdemeanor, except that the sale, the offering for sale or the giving away or dispensing of the drugs mentioned in section two hundred and forty-five of this act, otherwise than as permitted by this act, to any child under the age of sixteen years shall be deemed a felony. Nothing contained in this article shall be construed to amend or repeal section seven-hundred and forty-six of the penal law.

SOCIETY FOR THE PREVENTION OF CRIME

Red-light Injunction Law

AN ACT to amend the public health law, in relation to the suppression of certain nuisances.

Became a law April 14, 1914, with the approval of the Governor.
Passed, three-fifths being present.

ARTICLE 17-a

SUPPRESSION OF CERTAIN NUISANCES

Section 343-a. Nuisance defined.

343-b. Action to enjoin nuisance.

343-c. Jurisdiction and procedure.

343-d. Trial of action.

343-e. Discontinuance of action; substitution.

343-f. Costs.

343-g. Permanent injunction.

343-h. Violation of injunction.

343-i. Effect if portion of article unconstitutional.

Sec. 34-a. Nuisance defined. For the purpose of this article any house, building, place or any separate part or portion thereof, or the ground itself, in or upon which assignation or prostitution is conducted, practiced, permitted, carried on or exists is declared a nuisance, and whoever knowingly shall erect, establish, permit, continue, maintain, own, lease or sublease any house, building, erection, place or any separate part or portion thereof, used for such purposes, shall be guilty of maintaining a nuisance.

Sec. 343-b. Action to enjoin nuisance. When a nuisance is created, conducted, kept, maintained, permitted or exists in any county, the district attorney of the county, any taxpayer residing in the immediate neighborhood of the alleged nuisance, or any domestic corporation organized for the suppression of vice, subject to or which submits to visitation by the state board of charities, and

possesses a certificate from such board of such fact and of conformity with its regulations, may maintain an action in the name of the people of the state of New York, upon the relation of such taxpayer, corporation or district attorney, to perpetually enjoin such nuisance by any owner, agent, lessee, occupant or employee, of the house, building, erection, place or any separate part or portion thereof or ground, in or upon which such nuisance is alleged to be conducted, kept, permitted or exists.

Sec. 343-c. Jurisdiction and procedure. Such action shall be brought in the supreme court of the county in which the property is situated. At or before the commencement of the action a complaint alleging the facts constituting the nuisance shall be filed in the office of the clerk of the county, together with a notice of the pendency of the action, containing the names of the parties, the object of the action and a brief description of the property affected thereby. Such notice shall be immediately recorded by the clerk in accordance with the provisions of section sixteen hundred and seventy-two of the code of civil procedure. After the filing of the complaint, application for a temporary injunction may be made to the supreme court or a judge thereof who shall grant a hearing thereon if satisfied of the good faith of the application and shall direct the service upon the owner, agent or occupant of the property in or upon which a nuisance is alleged to exist, of a copy of the complaint, together with a notice of the time and place of the hearing of the application. Such notice shall be served at least five days before the hearing. If the hearing be continued at the instance of the defendant, a temporary injunction restraining any person from continuing such nuisance shall issue as a matter of course. If upon the hearing, the allegations be sustained to the satisfaction of the court or judge, such court or judge shall issue a temporary injunction, without bond, restraining any person from continuing the nuisance.

SOCIETY FOR THE PREVENTION OF CRIME

Sec. 343-d. Trial of action. The action for the permanent injunction shall be triable at the term of the supreme court immediately following the issuance of the temporary injunction as provided in this article. In such action evidence of the common fame and general reputation of the place, of the inmates thereof, or of those resorting thereto, shall be competent evidence to prove the existence of the nuisance. An admission or finding of guilt of any person of a violation of section eleven hundred and forty-six of the penal law at such place shall be presumptive evidence of the nuisance.

Sec. 343-e. Discontinuance of action; substitution. If the action be commenced by a taxpayer it shall not be discontinued, except upon the sworn statement of the relator, or his attorney, stating the reason why the action should be discontinued, and no application for discontinuance shall be granted nor shall the action be dismissed upon default, unless approved in writing or in open court by the district attorney of the county wherein the action is pending. If the court rejects the application for discontinuance, it shall direct the district attorney to prosecute such action to judgment. If any such action be continued more than one term of court, any taxpayer or the district attorney of the county wherein the action is pending may, on order of the court, be substituted for the relator, and prosecute such action to judgment.

Sec. 343-f. Costs. If the action be brought by a taxpayer or a corporation and the court finds that there were no reasonable grounds for such action, the costs thereof shall be taxed against the relator.

Sec. 343-g. Permanent injunction. If the existence of the nuisance be established upon the trial, a judgment shall be entered which shall permanently and perpetually enjoin the defendant or defendants and any other owner, agent, lessee, occupant or employee from conducting, keeping, maintaining, permitting or continuing the nuisance

SOCIETY FOR THE PREVENTION OF CRIME

complained of on the premises in or on which the nuisance was maintained.

Sec. 343-h. Violation of injunction. A violation of a judgment entered under this article shall constitute a contempt of court punishable by imprisonment for not less than ten days nor more than twelve months.

If there be a violation of such judgment, an order shall issue directing the closing and vacating of the premises and enjoining the use thereof for not less than thirty days nor more than one year from the entry of the order and the court or judge shall direct the sheriff to enforce such order and shall allow him a reasonable fee, which shall be a lien upon the premises. A person who breaks, enters or uses any house, building, erection, place or any separate part or portion thereof, or ground vacated or closed in accordance with this article, except for the purpose of removing personal property and trade fixtures owned by or mortgaged to such person, or the corporation, association, or partnership represented by such person, shall be guilty of contempt of court punishable as provided in this section.

Sec. 343-i. Effect if portion of article unconstitutional. If any part of this article be held unconstitutional the constitutionality of the other parts thereof shall not be affected or impaired.

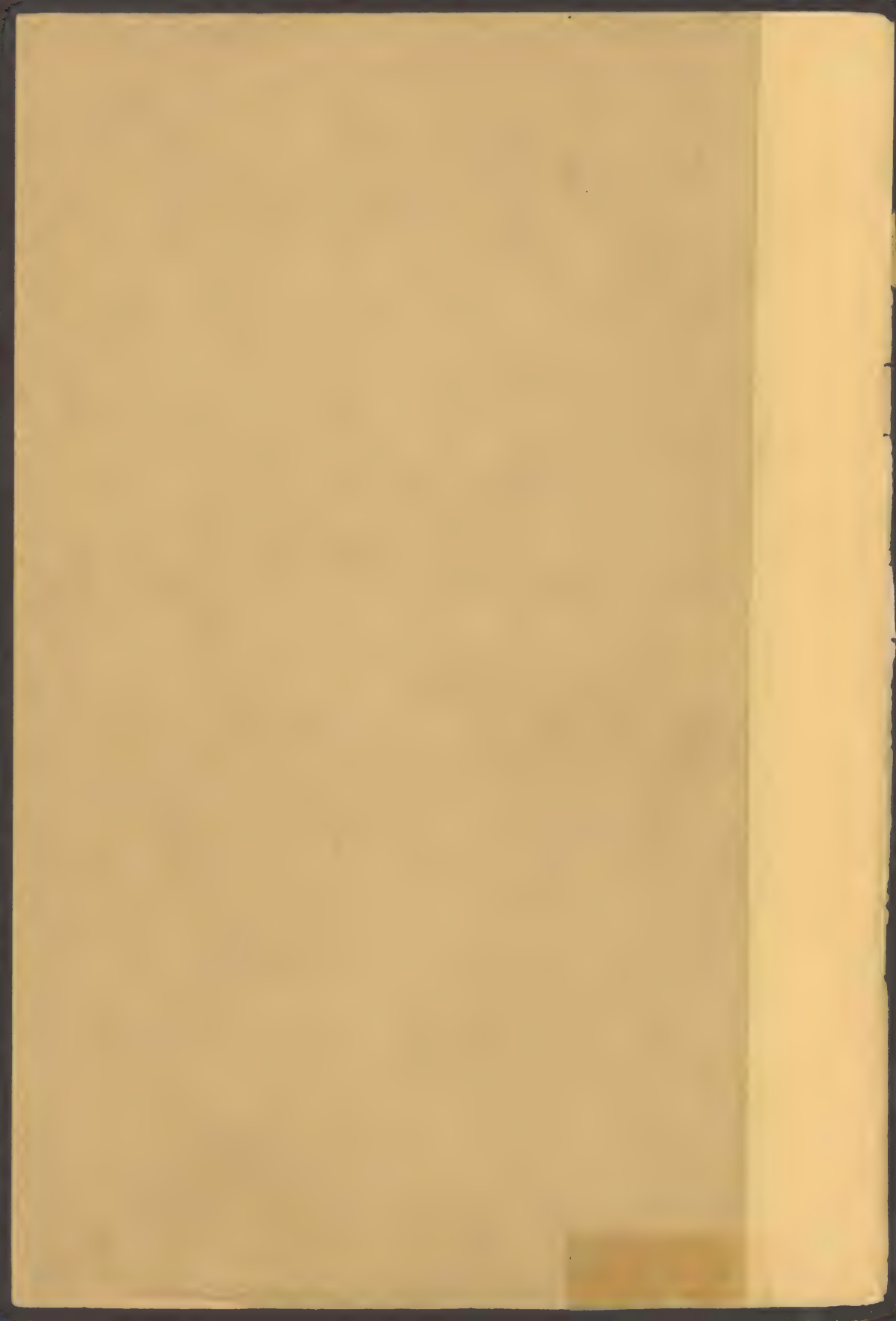
Contributions are desired and may be made payable to the Society and sent to the Treasurer, 50 Union Square, New York City.

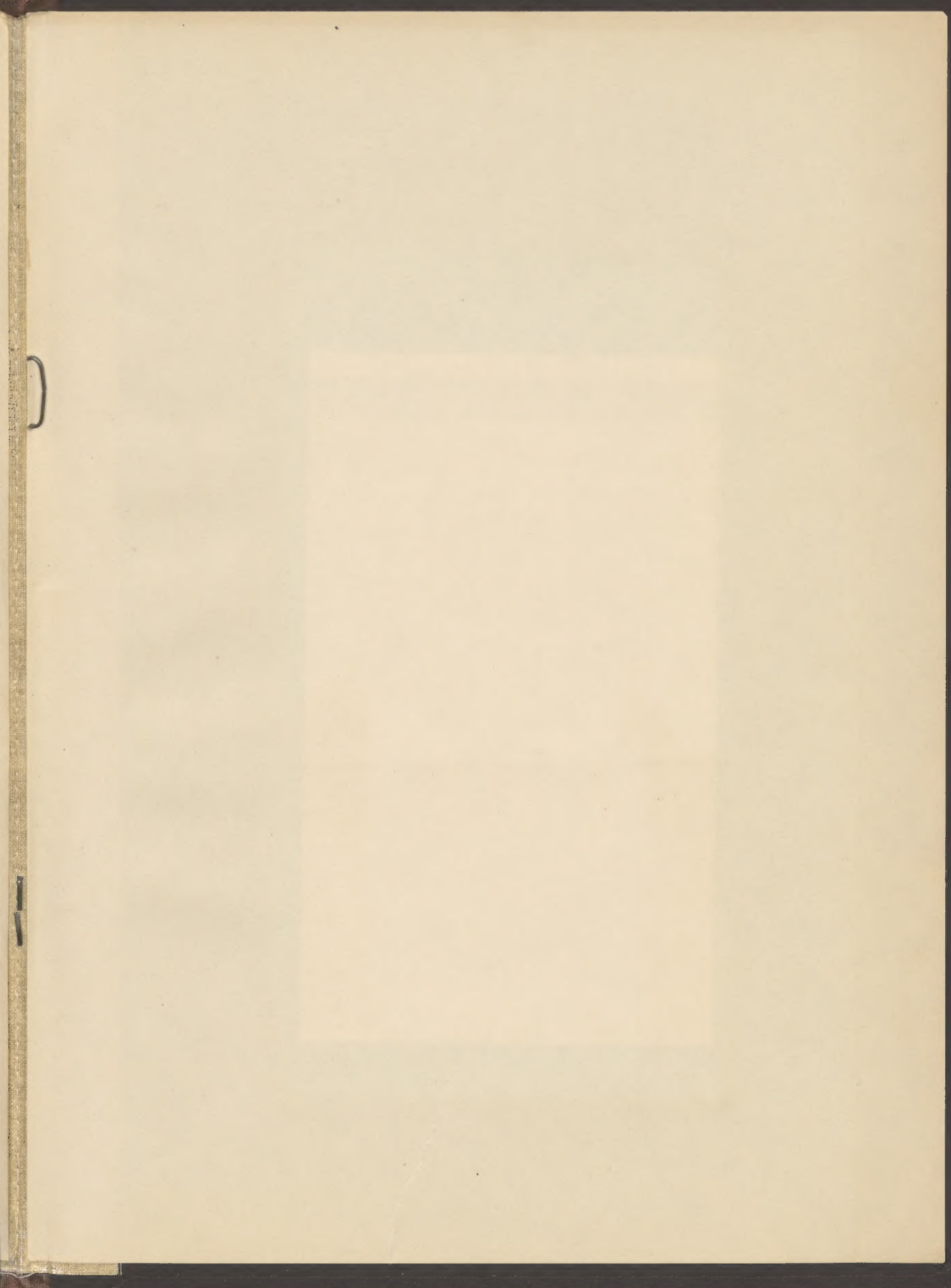
Form of Bequest of Personal Property

I give and bequeath unto the SOCIETY FOR THE PREVENTION OF CRIME, a Corporation created by and existing under the Laws of the State of New York, the sum of dollars, to be applied to the uses of said corporation.

Form of Devise of Real Property

I give and devise unto the SOCIETY FOR THE PREVENTION OF CRIME, a Corporation created by and existing under the Laws of the State of New York, all (*here insert description of property*); together with all the appurtenances, tenements and hereditaments thereunto belonging or in any wise appertaining; to have and to hold the same unto the said corporation, its successors and assigns, forever.





DATE DUE

MAY 22 2003

JAN 27 2004

GAYLORD

PRINTED IN U.S.A.

Gaylord
PAMPHLET BINDER

Syracuse, N. Y.
Stockton, Calif.

COLUMBIA UNIVERSITY LIBRARIES



0042811910

339.3
Sol3
1916

Q7684100



BOUND

OCT 26 1961

